

EXHIBIT L

RECORD OF PROCEEDINGS - 11/02/2017

1
2 TRI-STATE DISPOSAL,)
3 Complainant,)
4 vs.)
5 RIVERDALE MATERIALS, LLC,)
6 Respondent.)

7
8 Record of proceedings in the
9 hearing of the above-entitled cause, at 157 W. 144th
10 Street, Riverdale, Illinois, before the Village of
11 Riverdale Zoning Board, in the City of Riverdale,
12 County of Cook, State of Illinois, before Victoria
13 D. Rocks, CSR, Notary Public, commencing at 7:00
14 o'clock p.m., on the 2nd day of November 2017, A.D.
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1 APPEARANCES:

2 LaROSE & BOSCO, LTD.
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9 appeared on behalf of the Complainant;

10 DALEY & GEORGES
11 MR. RICHARD A. TOTH
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16 rtoth@daleygeorges.com

17 appeared on behalf of the Respondent.
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MR. WELCH: We're going to do the roll call,
please. I will call the order once more.

MR. REYNOLDS: The Chairman is supposed to call
the meeting to order.

MR. WELCH: It's not public comment. Calling
to order the Zoning Board of Appeals Thursday,
November 2, 2017. It is 7:00 p.m.

Madam Secretary, could you call the roll.

MS. RUSSELL: A.J. Cunningham.

MR. CUNNINGHAM: Here.

MS. RUSSELL: Mildred Blount.

MS. BLOUNT: Here.

MS. RUSSELL: William Taylor.

MR. TAYLOR: Here.

MS. RUSSELL: Andrea Johnson.

MS. JOHNSON: Here.

MS. RUSSELL: Gus Stone.

MR. STONE: Here.

MS. RUSSELL: Helen Griffith.

MS. GRIFFITH: Here.

MR. WELCH: A quorum is present. The next item
is approval of the meeting minutes for September 7,
2017.

1 Chief, you had an amendment to the meeting
2 minutes.

3 MR. SCHARNHORST: It should have been 250 feet,
4 not 50 feet.

5 MR. WELCH: Item four, there's a reference to
6 letters were sent to businesses 50 feet, within 50
7 feet of the property. It is 250. Do we have a
8 motion to approve the minutes subject to the
9 amendment?

10 MR. STONE: So moved.

11 MR. WELCH: Is there a second?

12 MS. GRIFFITH: Second.

13 MR. WELCH: All in favor?

14 MS. BLOUNT: Aye.

15 MR. WELCH: The next item on the agenda is old
16 business, a conditional use to operate a recycling
17 facility at 1201 West 138th Street. Is the
18 applicant present?

19 MR. TOTH: The applicant is present.

20 MR. WELCH: Please step forward. I know that
21 there was some presentations made in a prior
22 meeting. Who intends to testify further tonight?

23 MR. TOTH: For whatever we need, we have
24 Mr. Jim Bracken, who is appearing on behalf of both

1 the coapplicants, Riverdale Materials, LLC and 1201
2 West 138th Street, LLC.

3 MR. WELCH: Is there anyone who intends to
4 testify, if they could please step forward.

5 MR. TOTH: As part of the applicant team, I
6 will call everyone forward.

7 MR. WELCH: Please step forward to swear you
8 in. Raise your right hand. This is anyone who
9 intends to testify as part of the applicant's
10 testimony. If everyone can state their name for the
11 record who is stepping forward. One at a time.

12 MR. MATE: Tom Mate.

13 MR. BRACKEN: Jim Bracken.

14 MR. SYNEICKI: Michael Syneicki.

15 MR. WEBB: Andre Webb.

16 MR. WITHERSPOON: Terry Witherspoon.

17 MR. GREEN: Shawn Green.

18 MR. HALL: Xavier Hall.

19 MR. WELCH: Everyone raise your right hand.

20 (Whereupon, all witnesses were
21 sworn in.)

22 MR. WELCH: Okay. Please go forward.

23 MR. TOTH: I'd be happy to. Good evening,
24 everyone. My name is Richard Toth. I am an

1 attorney with Daley and Georges in Chicago.

2 I guess I should congratulate you. I know
3 that there's some new Board members. I thank you
4 for taking your time to learn about us and our
5 application. Appearing on behalf of the applicants,
6 Riverdale Materials, LLC and the coapplicant,
7 property owner, 1201 West 138th Street, LLC, I know
8 some of you are new. This is the third time we've
9 been out here.

10 We originally appeared in September when we
11 had a very detailed presentation. The Board didn't
12 make a decision in September. They were deferring
13 it. We came out in October. There didn't happen to
14 be a quorum. So we are back today. Happily, we
15 have a quorum today.

16 I know some of you are new, so we will try to
17 summarize what we presented in October. I could
18 basically do the whole thing again, and you can stop
19 me if I do too much.

20 MR. WELCH: Sure. They were also provided the
21 record from the previous hearing to review.

22 MR. TOTH: I am going to go into it. Slow me
23 down if I'm doing too much. Our main witness is Jim
24 Bracken. Jim represents both Riverdale Materials,

1 LLC, which is going to operate the site, and the
2 property owner, 1201 West 138th Street, LLC.

3 They're affiliated companies. Jim operates
4 both of them with his wife and a host of other
5 people as well. Some of you recall that at the
6 prior meeting, we also had a gentleman here named
7 Ken Liss, who is the president of Andrews
8 Engineering, and we had Josh Hay. He's also of
9 Andrews Engineering and is the project engineer.
10 They have done design work and applied for and
11 received various governmental permits for the site.

12 Ken came up from Springfield before his
13 testimony on the record. You have would seen that.
14 Knowing that he's testified here, he could talk
15 about some of those things, but we have saved him
16 the four hour drive from Springfield and back for
17 tonight.

18 So is there a good place I could put this? Is
19 it okay if I put it here? I don't want to have
20 anybody not seeing that. As we discussed the last
21 time, we were here the property is just under
22 18 acres. It's next to a train yard to the north.
23 There's forest area to the east, west 138th Street
24 to the south. And some large used car dealerships

1 to the west.

2 You could see all that there. The property
3 is zoned by the Village of Riverdale for industrial
4 uses, which is what we're proposing to do for the
5 site. Specifically, Riverdale has zoned it I-2.

6 Before Jim's company bought the property it
7 was operated most recently as a concrete crushing
8 and screening operation. So in large part what we
9 are seeking to do here is not too far a throw from
10 that. It's a continuation of that type of use.

11 Jim will talk more about the background, but
12 Jim Bracken has been operating various hauling and
13 processing facilities for the past 15 years or more.
14 They're very experienced in the industry.

15 I think you'll see that when you hear him
16 talk about it. Riverdale Materials plans to operate
17 at the site as a materials processing and recycling
18 facility. The facility is going to provide useful
19 services with environmental benefit to the area and
20 will bring employment opportunities to the
21 community.

22 We'll go into detail about what we're doing,
23 but it is probably first going to help us if we talk
24 about what we're not doing because I think there's

1 been a lot of information out there, misinformation.
2 We had proposed, but withdrew an earlier request to
3 process municipal solid waste.

4 Municipal solid waste is household garbage.
5 When we were asking for that, that was basically for
6 long-term planning. That wasn't an immediate
7 proposal. There's actually good reasons for the
8 site to be permitted to process that type of waste
9 in some quantities, but again, that request has been
10 withdrawn. And it's not something you need to
11 consider or make a decision about tonight have past
12 on the application.

13 Also what this isn't, it isn't a landfill.
14 It isn't a garbage dump. I know sometimes there's
15 resistance to those types of uses. Sometimes
16 there's reasons for resistance to those types of
17 uses, but that is just not what we're talking about
18 here today. In a moment, I will introduce Jim and
19 go through the planned activity of the site. But I
20 want to have you hear from him about his background,
21 his experience in the industry. Jim, come up here.

22 MR. BRACKEN: Good evening. My name is Jim
23 Bracken. I'll use Bracken Rollout Services and
24 Riverdale Materials to produce and recycle

1 aggregates for construction projects.

2 We were critical in the renovation of the
3 sewer project. We provided the mayor with
4 100 percent of the aggregate material that they
5 finally completed for the new sewer project, which
6 has prevented a lot of the residents' basements from
7 flooding. It would have cost the town a lot more
8 money had they not dealt with us.

9 And we are engaged in conversations with the
10 town to supply recycled materials to restructure
11 some of the alleys. We're going to donate a lot of
12 the material to the town. There's numerous other
13 projects that are in the works.

14 What we basically do is we're bringing
15 construction material, concrete, curbing, asphalt,
16 crushing it, screening it, and selling it. I have
17 some handouts that will show pretty much, these are
18 pictures taken. We also have landscape materials
19 we'll sell. I'll pass these out.

20 MR. WELCH: Do we have a motion to make this
21 document part of the record? We'll make it
22 applicant document number one.

23 MR. STONE: Motion.

24 MR. WELCH: Is there a second?

1 MS. RUSSELL: Member Cunningham.

2 MS. JOHNSON: Second.

3 MS. RUSSELL: Member Taylor?

4 MR. TAYLOR: Aye.

5 MS. RUSSELL: Member Johnson?

6 MS. JOHNSON: Aye.

7 MS. RUSSELL: Member Stone?

8 MR. STONE: Aye.

9 MS. RUSSELL: Member Griffith?

10 MS. GRIFFITH: Aye.

11 MR. WELCH: This document will be entered as
12 Applicant's Document 1.

13 MR. BRACKEN: This is pretty much what we're
14 doing at the operation. Some of the Board members
15 have been there and purchased products, and some of
16 the residents.

17 Some of the residents are not familiar with
18 what's going on, but this is what's going on.
19 There's a lot of disinformation. There's lot of
20 people afraid of new business. I have some of my
21 employees here who have worked with me on numerous
22 businesses.

23 This business is helping them expand their
24 work activities. It's giving them stability to

1 produce their own products. More opportunities for
2 everybody. I could bring some of the gentlemen up.

3 MR. TOTH: We'll get there. Let me back you up
4 a little bit. If you could tell the members of the
5 Board how you started in the industry, how long
6 you've been working in the industry. What is your
7 experience?

8 MR. BRACKEN: I started in the trucking
9 industry. I drove a truck for 15 years and decided
10 to go on my own.

11 I started with dump truck work and then I
12 went into the rollout business. I have moved out to
13 Markham and expanded. I like moving out to the
14 south because there's a lot of real estate. There's
15 not as much real estate towards the city. There's
16 real estate out here.

17 The administration are friendlier. There's
18 less red tape to go through, and there's workforce
19 that is out here of people willing to work.

20 MR. TOTH: How many years has it been?

21 MR. BRACKEN: Twenty years in business I've
22 been doing this. I have had multiple companies.
23 Even though this is a new company, it's being
24 managed by a person who has been in business 20

1 years.

2 MR. TOTH: Where are your other sites?

3 MR. BRACKEN: I have a site in Markham, a 12
4 acre facility, recycling facility. We don't have
5 room in Markham to produce these types of
6 aggregates. That's why we moved to Riverdale.

7 We're not moving out of Markham. We're
8 staying there and operating in Riverdale. We have a
9 yard, we own 74 acres in Kankakee. Another 12 acres
10 in the City of Chicago. We're expanding and
11 growing.

12 We're offering multiple opportunities for
13 many people. We have over 150 employees. A lot of
14 them out here from the south and some from the city.

15 MR. TOTH: If the Board has questions, they
16 could ask them. I want to going through the types
17 of things we're doing, planning to do and doing at
18 the site.

19 There are sort of three different categories
20 one of which is processing construction and
21 demolition debris. That is going to happen at the
22 northern end of the site, is that's correct?

23 MR. BRACKEN: Correct.

24 MR. TOTH: Tell us what that material is,

1 construction demolition.

2 MR. BRACKEN: That could be anywhere from
3 concrete, asphalt. It could be wrecking from a torn
4 down house.

5 We were the premier demolition company in
6 Riverdale. We were always the lowest bid in
7 Riverdale and saved money the last three years, and
8 we could save more money if we could bring and
9 process the material inside of Riverdale, keep the
10 transportation cost down, create jobs for local
11 people.

12 MR. TOTH: What it is again? If one of the
13 Board members here renovates their bathrooms and
14 kitchen and what's torn out of there from drywall
15 and whatever, that is construction demolition
16 debris?

17 MR. BRACKEN: Yes.

18 MR. TOTH: And if they redo their driveway and
19 tear up the asphalt, that is construction from
20 demolition?

21 MR. BRACKEN: Yes.

22 MR. TOTH: That is the type of materials we're
23 talking about, demolition debris?

24 MR. BRACKEN: Yes. People are unaware if you

1 tear down your garage you could chip up that wood,
2 mulch it and make mulch out of recycled wood.

3 MR. TOTH: So the facility is going to accept
4 mixed loads of construction and demolition waste
5 material, and the material that is for sorting and
6 processing it into marketable product and raw
7 materials?

8 MR. BRACKEN: Correct, using loads of material
9 will be delivered to your facility by some of your
10 own affiliated companies, maybe trucks and by other
11 construction and demolition contractors, by waste
12 generators, and maybe by local citizens if somebody
13 fills up the back of a pickup and brings their
14 material?

15 MR. BRACKEN: Right.

16 MR. TOTH: There's a load checking program that
17 is used to prevent the delivery of unauthorized
18 materials and ensure that less than 25 percent of
19 incoming material is nonrecycled?

20 MR. BRACKEN: Correct.

21 MR. TOTH: Unauthorized materials include
22 hazardous wastes, special wastes, medical wastes.
23 Asbestos containing materials, batteries, tires
24 things like that?

1 MR. BRACKEN: Absolutely.

2 MR. TOTH: You do not accept those type of
3 things?

4 MR. BRACKEN: It's not our business.

5 MR. TOTH: Materials are deposited into the
6 offloading area, and materials are sorted by
7 material within 48 hours from the time it's
8 received, correct?

9 MR. BRACKEN: Correct.

10 MR. TOTH: Once it's sorted and segregated, the
11 various recycled materials are staged at the
12 facility and different material stockpiles and
13 materials transported for recycling when it's
14 accumulated?

15 MR. BRACKEN: Right.

16 MR. TOTH: So it might be a pile of wood and a
17 pile of asphalt, and it gets sorted?

18 MR. BRACKEN: It gets sorted, processed and
19 resold.

20 MR. TOTH: Some of it can be used?

21 MR. BRACKEN: Yes.

22 MR. TOTH: So that is one category of work
23 you're doing at the facility?

24 MR. BRACKEN: Correct.

1 MR. TOTH: It may be the biggest. I don't
2 know, is it?

3 MR. BRACKEN: Correct.

4 MR. TOTH: The second category of things we're
5 talking about here at the facility is wood materials
6 processing?

7 MR. BRACKEN: Correct.

8 MR. TOTH: That is targeted for the northern
9 part of the site?

10 MR. BRACKEN: Correct.

11 MR. TOTH: That is processing clean, unpainted
12 wood materials?

13 MR. BRACKEN: Yes.

14 MR. TOTH: Clean wood materials are shredded
15 and stockpiled on the northern part of the
16 footprint, although you may have to adjust depending
17 on volumes and operating needs?

18 MR. BRACKEN: Correct.

19 MR. TOTH: Water runoff controls will include
20 fencing as to prevent wood chips from entering storm
21 water runoff and things like that?

22 MR. BRACKEN: Yes.

23 MR. TOTH: The shredded wood stockpiles will
24 particularly be removed on not less than a weekly

1 basis as volumes dictates, right?

2 MR. BRACKEN: Yes.

3 MR. TOTH: Riverdale Materials will use a
4 woodchipper for processing the clean wood materials?

5 MR. BRACKEN: Yes.

6 MR. TOTH: Any required air permits will be in
7 place?

8 MR. BRACKEN: In place.

9 MR. TOTH: End products will include mulch,
10 compost, some amount of material that might go to
11 landfills and dirt. Some of that will be for sale
12 on the site too?

13 MR. BRACKEN: Correct.

14 MR. TOTH: So we talked about two categories.
15 One is the construction and demolition debris, which
16 could come from your house renovations.

17 One is the wood processing, which is not too
18 far from that. A third category is the clean soil
19 processing. The company is proposing to accept and
20 process clean soil. Clean soil I understand is
21 excavation material that is not contaminated by
22 petroleum products, crude oil, by environmental
23 contaminants or the like. Correct?

24 MR. BRACKEN: Correct.

1 MR. TOTH: So the soil undergoes processing to
2 remove oversized objects, is that right?

3 MR. BRACKEN: Correct.

4 MR. TOTH: And that gets processed and can be
5 reused or resold as well?

6 MR. BRACKEN: Yes.

7 MR. TOTH: Back into the recycling stream. For
8 general information on sort of all the type of work
9 you do, there will be collection service agreements
10 that will specify that any materials delivered to
11 the facility do not contain any prohibited waste
12 materials, is that correct?

13 MR. BRACKEN: Correct.

14 MR. TOTH: There will be a facility manager
15 there that managers will work under an operations
16 plan and will be responsible for approving materials
17 for receipt or rejecting materials, sending them
18 away without taking them. Is that correct?

19 MR. BRACKEN: Correct.

20 MR. TOTH: Unacceptable waste will be rejected
21 prior to loading, is that correct?

22 MR. BRACKEN: Correct.

23 MR. TOTH: If some very strange things happens
24 and some of it is unacceptable was somehow dumped,

1 it will be promptly removed from the facility and
2 appropriately disposed of offsite?

3 MR. BRACKEN: Correct.

4 MR. TOTH: That is not your business at this
5 site?

6 MR. BRACKEN: Correct.

7 MR. TOTH: In the event the waste cannot be
8 medically reloaded, specialized contractors are
9 summoned to the facility to evaluate and properly
10 dispose of hazardous materials, right?

11 MR. BRACKEN: Correct.

12 MR. TOTH: That costs more, and you don't want
13 those materials. You don't want to do that because
14 you don't want to pay more to do so?

15 MR. BRACKEN: We don't do it now. We don't
16 have a license for that.

17 MR. TOTH: Any individual responsible for
18 illegal dumping at the facility will be identified
19 and reported to the proper authority, is that
20 correct?

21 MR. BRACKEN: Correct.

22 MR. TOTH: The facility will maintain accurate
23 and up to date records of both materials accepted
24 for processing and recycling waste material that are

1 shipped from the facility for further processing and
2 sale and disposal, is that right?

3

4 MR. BRACKEN: Yes.

5 MR. TOTH: Because there will be some wood
6 materials at the site, open burning will be
7 prohibited there, is that correct?

8 MR. BRACKEN: Correct.

9 MR. TOTH: Dust control measures will be
10 implemented to minimize the creation of dust due to
11 safe operating speed not in excess of 15 miles per
12 hour for vehicles?

13 MR. BRACKEN: Correct.

14 MR. TOTH: Facility is monitored daily by
15 personnel for the presence of dust, and dust control
16 measures will be implemented as needed, is that
17 correct?

18 MR. BRACKEN: Yes.

19 MR. TOTH: Noise generated as a result of
20 onsite operations is similar in amount to any normal
21 truck traffic or construction, is that correct?

22 MR. BRACKEN: Yes.

23 MR. TOTH: All equipment designated for
24 operation at the facility will be equipped with

1 mufflers or sound decimating devices required for
2 compliance with applicable law, is that correct?

3 MR. BRACKEN: Yes.

4 MR. TOTH: Access to the facility will be
5 restricted through the use of fencing and gates,
6 correct?

7 MR. BRACKEN: Correct.

8 MR. TOTH: Operations will be covered by
9 Riverdale Materials' storm water pollution
10 prevention plan, which provides for routine
11 inspections and other controls, is that correct?

12 MR. BRACKEN: Yes.

13 MR. TOTH: Riverdale Materials facility plans
14 to operate Monday through Friday and occasionally
15 Saturday if needed for the processing of materials,
16 correct?

17 MR. BRACKEN: Yes.

18 MR. TOTH: But it plans to be opened 24 hours a
19 day for dumping?

20 MR. BRACKEN: Yes.

21 MR. TOTH: All employees working at the
22 facility will be trained in the operating procedures
23 pecific to the facility, correct?

24 MR. BRACKEN: Yes.

1 MR. TOTH: General emergency and contingency
2 situations will be managed in accordance with the
3 emergency action plan, and employees will be trained
4 accordingly, is that correct?

5 MR. BRACKEN: Correct.

6 MR. TOTH: All employees working in at the
7 facility will be trained in procedures --

8 MR. WELCH: We have a court reporter as well as
9 a tape recording to create a record. We need to
10 stop the discussion because it's impeding the
11 ability to create a record.

12 MR. TOTH: All employees working at the
13 facility will be trained in procedures for handling
14 emergency or contingency situations, is that
15 correct?

16 MR. BRACKEN: Yes.

17 MR. TOTH: The location of all firefighting
18 equipment, including fire extinguishers and
19 telephones to report an emergency with the local
20 fire department will be communicated to all
21 employees of the facility, is that correct?

22 MR. BRACKEN: Yes.

23 MR. TOTH: So Jim, you've operated similar
24 businesses over many years. You've got engineering

1 help to design this site as to operate in a way that
2 will not be detrimental to or endanger public
3 health, safety, comfort and general welfare. Is
4 that correct?

5 MR. BRACKE: Yes.

6 MR. TOTH: That is in accordance with what we
7 talked about before?

8 MR. BRACKEN: Yes.

9 MR. TOTH: The property that we are talking
10 about is in an industrial zoned area. The Village
11 of Riverdale in its wisdom has zoned this as an
12 industrial area.

13 And your uses are similar to those
14 historically present at the site, is that correct?

15 MR. BRACKEN: Yes.

16 MR. TOTH: Based on your experience, your uses
17 will not be injurious to the uses and enjoyment of
18 other property in the vicinity or diminishment or
19 diminish their value, correct?

20 MR. BRACKEN: Correct.

21 MR. TOTH: At the first hearing we talked not
22 just about the site industrial zoning, but also the
23 Village of Riverdale's comprehensive plan, which was
24 adopted fairly recently in 2014.

1 We talked about how that plan identifies the
2 site as being in an area that is a priority for
3 industrial development. That future plans for the
4 area are for industrial development under the
5 Village's plan. Is that correct?

6 MR. BRACKEN: Correct.

7 MR. TOTH: So based on all that and your own
8 experience, research, and planning, the approval of
9 your planned uses will not impede the normal and
10 orderly development and improvement of surrounding
11 property, is that correct?

12 MR. BRACKEN: That's correct.

13 MR. TOTH: In fact, it fits within the context
14 of other uses, correct?

15 MR. BRACKEN: Correct.

16 MR. TOTH: You have worked with your
17 engineering firm, Andrews Engineering, and it's been
18 determined that adequate utilities, access roads,
19 drainage, and necessary facilities have been or will
20 be provided. Is that correct?

21 MR. BRACKEN: Yes.

22 MR. TOTH: And you don't probably use much in
23 the way of materials. It's minimal uses anyway,
24 correct?

1 Let's talk about your engineering consultant
2 that testified to all those specifics previously, is
3 that right?

4 MR. BRACKEN: Yes.

5 MR. TOTH: And let's talk about drainage.
6 Most of the site is outdoor work. You're not really
7 building any new large buildings, right?

8 MR. BRACKEN: No.

9 MR. TOTH: No skyscrapers going on the site,
10 there's a lot of undisturbed ground. You're not
11 really generating a need for water retention. You
12 had mostly dirt before, and you will have mostly
13 dirt after, correct?

14 MR. BRACKEN: Correct.

15 MR. TOTH: The site is on 138th Street based on
16 the size and volume of that road and this and
17 similar businesses, access to the site is sufficient
18 and set up to minimize traffic congestion, correct?

19 MR. BRACKEN: Yes.

20 MR. TOTH: You and your engineer already
21 obtained various state and County permits for
22 operations on the site. And in addition to those
23 you'll conform to all Riverdale ordinances?

24 MR. BRACKEN: Yes.

1 MR. TOTH: I will note for the record I think
2 that I could submit it again, we had submitted
3 copies of all our various state and county permits.

4 MR. WELCH: Yes, it's part of the record from
5 the last hearing.

6 MR. TOTH: Okay.

7 MR. WELCH: It's been provided to all Board
8 members. You're welcome to go through them. It's
9 part of the record.

10 MR. TOTH: We'll answer questions from the
11 Board, but if you have some other people who want to
12 speak in favor of it, that's fine.

13 MR. BRACKEN: Sure. Tell them what your
14 experience with the facility is and your experience
15 with me.

16 MR. WEBB: My name is Andre. I have been there
17 fore five years.

18 MR. WELCH: State your last name.

19 MR. WEBB: Webb. I have been there five years.
20 I was unemployed and had CDLs and couldn't find a
21 job. And he gave me an opportunity. I've been
22 working there five years.

23 And I mean everything is good. The facility
24 that I work out of, I am a rollout driver, and there

1 is nothing cut. Everything is straight to the
2 chase.

3 MR. CUNNINGHAM: What is your job?

4 MR. WEBB: I'm a rollout driver.

5 MR. CUNNINGHAM: And you move material I'm
6 assuming with the truck?

7 MR. WEBB: Yes.

8 MR. CUNNINGHAM: So you're onsite many times?

9 MR. WEBB: Yes, every day.

10 MR. CUNNINGHAM: Thank you.

11 MR. WITHERSPOON: My name is Terry Witherspoon.
12 I've been working for Jim for six years. I am a
13 truck driver. I drive semis.

14 I moved from Chicago out here, and he
15 provided a job for me. Me and my wife live in
16 Riverdale. So far everything has been great, and I
17 thank him for the job that he's provided.

18 MR. GREEN: My name is Shawn Green. I have
19 been with Bracken for eleven years. I came from
20 hauling diesel fuel to this.

21 I left hauling diesel because it was
22 hazardous. Three people at the job passed away. One
23 included my stepdad. I left there making \$80,000 a
24 year. I came here. I'm not making as much, but my

1 health is more important.

2 So he's a real good guy to work for. I
3 haven't had any problems in 11 years.

4 MR. HALL: My name is Xavier Hall. I have been
5 working for Bracken's company for over three years.
6 . I moved out this way because I wanted a better
7 environment for my kids.

8 The city was kind of rough. So I wanted to
9 move to the suburbs and get a better education, a
10 better upbringing. When I moved out here, I went to
11 to of the trucking companies, a disposal company,
12 Tri-State. I've been there a couple of times trying
13 to put in an application, but they always told me
14 they weren't hiring.

15 I see some of their drivers, and I see new
16 drivers. None of them are minorities. He also
17 helped my wife and I with a house. It's been good
18 working there. I haven't had no problems. He
19 provided jobs for the miniorities.

20 He provided jobs in the community. So it's a
21 good environment to work in. That is about it.
22 Like I said, it's a good place to work. He's
23 putting out jobs. And you go to him ask for
24 anything, help you out. Times get rough sometimes,

1 but you know, he's very approachable, and the
2 company is good.

3 MR. CUNNINGHAM: You drive as well, Xavier?

4 MR. HALL: Yes. I've been driving, I had my
5 CDL for 26 years. I have been driving dumps for 19
6 years.

7 And I would say 16 out of the 19 years I've
8 been laid off in the wintertime collecting
9 unemployment. This is the first dump company I have
10 been at where we work all year round. We work every
11 day.

12 I might get a little slow in the wintertime.
13 You might have a day or two off, but this is the
14 first company I've been in with my driving
15 experience where you are working all year round,
16 never laid off. It's provided revenue for the
17 family. You don't have to worry.

18 MR. CUNNINGHAM: Not to interrupt you, Xavier.
19 To go on and address the pink elephant in the room
20 which everyone came out here for, we're not doubting
21 that he's a good guy because we met a few times.

22 I even patronized. I have my own small
23 construction company. So I patronize. Most people
24 don't understand the process of what's going on.

1 That's why it's a lot of rumors going on. We just
2 want to know that there's no harm, the activities
3 going to be done. That's what the bottom line is
4 with this whole big turnout.

5 MR. HALL: First of all, when we go to a site
6 and get loaded, you already know whether or not the
7 waste, whatever we're hauling is contaminated or
8 not.

9 If it's contaminated waste, we take it to
10 places that specialize in contaminated waste.

11 MR. CUNNINGHAM: I understand that. You know
12 you wouldn't take the stuff.

13 MR. WELCH: One person speak at a time.

14 MR. HALL: No hazardous waste comes in over at
15 138th, none at all. Most of the stuff that comes
16 there is concrete, asphalt, stuff like that. Stuff
17 that can be recycled.

18 But as far as hazardous waste, things of that
19 nature we take them to waste management. You get a
20 manifest for it and take it out to where it belongs
21 and that's it. Nothing hazardous comes in that
22 facility. Absolutely none.

23 MR. CUNNINGHAM: From my knowledge, I do
24 understand that because if I have got a load that

1 had iron in the concrete, that metal being there it
2 wouldn't be accepted.

3 So that's the same procedure that you guys
4 are working under?

5 MR. WELCH: Who is familiar with the procedure?
6 Who can speak to it?

7 MR. BRACKEN: We would not accept anything
8 contaminated.

9 MR. WELCH: Sir, there's testimony going on.
10 Can you speak to the procedure when materials are
11 delivered onsite? How is the testing conducted?

12 MR. BRACKEN: It will come up to the scale, and
13 the scale master will look into the load. Ask him
14 where it came from. There will be documentation of
15 where it came from.

16 He will look to see if there's any
17 contaminants. He will turn around, reject it. It's
18 basically concrete and asphalt. They'll dump out in
19 the back. There's a guy with a machine and radio.
20 If someone tried to pull a fast one, the guy in the
21 machine will radio to him that this guy pulled one
22 over on you. And it will be reloaded and hauled
23 away.

24 MR. WELCH: Everyone, please. This is a

1 hearing. Please be respectful. No one has
2 disrespected the residents. Everyone will have an
3 opportunity to testify and ask him questions.

4 MR. CLARK: I'm Mr. Clark. I want to be
5 called.

6 MR. WELCH: Continue.

7 MR. BRACKEN: There are procedures in place to
8 protect our site, as well as surrounding area and
9 surrounding town.

10 MR. WELCH: How do you determine -- you say
11 they will determine if there's contaminants. How is
12 that determined?

13 MR. BRACKEN: Even the scale master will look
14 at the load. There's also items called the PID
15 tester that you could test the dirt.

16 It's a tool you put on the load, and it will
17 detect any contaminants in most excavations that are
18 done in the City of Chicago, anywhere in the State
19 of Illinois they have implemented rules that most of
20 the soil has to get tested, and there has to be a
21 form that goes with the load before it gets
22 delivered.

23 So it has to be approved. Every site has to
24 be approved or the facility can't take it. There's

1 a record of that form onsite or in an office
2 somewhere at every facility.

3 MR. WELCH: Which governmental agency oversees
4 this process?

5 MR. BRACKEN: The IEPA.

6 MR. WELCH: What's their role in this process
7 How do they communicate with your business?

8 MR. BRACKEN: The IEPA will do frequent visits.
9 Some are announced. Some are unannounced. They
10 have come to our site in Markham over the last seven
11 years without an issue.

12 If there's a violation they'll tell you. If
13 there's a violation they will give you a chance to
14 remedy the violation. But they show up at any time.
15 They'll check out your records and talk to your
16 employees and make sure everything is on the up and
17 up, and they're very active.

18 MR. WELCH: Do they inspect your processes
19 before you operate?

20 MR. BRACKEN: Yes.

21 MR. WELCH: Have they inspected your operations
22 at the site?

23 MR. BRACKEN: Yes, they are scheduled to come
24 out and inspect it again.

1 MR. WELCH: And what were the results of the
2 initial inspection?

3 MR. BRACKEN: No violations.

4 MR. WELCH: Okay. Do you have all of the
5 necessary licensing from the Illinois Environmental
6 Protection Agency?

7 MR. BRACKEN: Yes, we do.

8 MR. WELCH: Is your presentation concluded?

9 MR. TOTH: We'll offer ourselves up for
10 questioning if there's something. Again, like I
11 said, there's misinformation out there, but things
12 that were needing doing or dealing with garbage,
13 things we're not doing.

14 We're not a landfill. We're not a garbage
15 dump. Three categories construction of demolition
16 debris and things from your own house or your
17 driveway being broken up. Wood materials.
18 Processing clean wood materials ran clean soil
19 processing.

20 So that is what we're doing, and we could
21 answer any further questions.

22 MR. BRACKEN: Once again, these are the
23 drivers. They operate in the facility, and they
24 live in this area. They could answer any questions.

1 If there was something wrong, I'm sure they would be
2 the first to bring it up.

3 MR. WELCH: Does the Board have any questions
4 of the applicant?

5 MS. BLOUNT: I have one that I'm interested in.
6 Because it says this property had been vacant for
7 some time and had been popular as a tourist
8 attraction, people interested in wildlife.

9 And you stated that we are trying to protect
10 some of the wetland areas.

11 MR. WELCH: That is the minutes from the
12 previous meeting. Embolism.

13 MS. BLOUNT: Okay. I wasn't there.

14 MR. STONE: I would like to ask one question in
15 reference to all of your permits that are required
16 for you to be functioning. Are you up to date with
17 all of your permits?

18 MR. BRACKEN: I believe we are.

19 MR. STONE: All stipulations and amendments?

20 MR. BRACKEN: Yes.

21 MR. STONE: As of this date November 2nd, you
22 are complying with all procedures, all protocol?

23 MR. BRACKEN: Yes, sir.

24 MR. TOTH: As part of the record, I do have a

1 set of our permits, and I could pass that out to
2 Board members if that is desirable.

3 MR. WELCH: Yes. Could we have a motion to
4 enter the forthcoming packet as Applicant's
5 Documents number two.

6 MS. BLOUNT: Motion.

7 MR. WELCH: Is there a second?

8 MS. GRIFFITH: Second.

9 MR. WELCH: Roll call.

10 MS. RUSSELL: Mr. Cunningham.

11 MR. CUNNINGHAM: Aye.

12 MS. RUSSELL: Member Blount.

13 MS. BLOUNT: Aye.

14 MS. RUSSELL: Member Taylor.

15 MR. TAYLOR: Aye.

16 MS. RUSSELL: Member Johnson.

17 MS. JOHNSON: Aye.

18 MS. RUSSELL: Member Griffin.

19 MS. GRIFFITH: Aye.

20 MR. TOTH: I have eight or nine sets. The
21 first page is a summary sheet. The rest are copies
22 of permits. We could still answer questions.

23 MR. STONE: I have one more question in
24 reference to your removing the materials, such as I

1 think was described as air brushing.

2 What was that for removing some of the wood,
3 and the materials that would use some type of
4 implement where it gets airborne?

5 MR. BRACKEN: A grinder or crusher. There is
6 dust control. We were just visited by the IEPA
7 recently.

8 A month or two ago a lady came in with
9 regards to concerns about air, and we had a
10 suppression system. She was very pleased. We have
11 a water truck that goes around the site and water
12 hooked up to the machine that will suppress any dust
13 or pollutants that go into the air, but they don't.

14 MR. STONE: If I may, you're hauling materials.
15 Does that happen on a weekly basis, 24 hour basis?

16 MR. BRACKEN: Right now it's a daily basis.

17 MR. STONE: Monday through Friday?

18 MR. BRACKEN: Yes.

19 MR. STONE: Thank you. No further questions.

20 MR. WELCH: If there's no further testimony
21 from the applicant, you could sit down. You may be
22 called up for further questions.

23 MR. WELCH: At this time I ask that we could
24 open up for public testimony.

1 MR. STONE: So moved.

2 MR. WELCH: Is there a second?

3 MR. CUNNINGHAM: Second.

4 MR. WELCH: All in favor say aye. Is there
5 anyone who would like to speak in relation to this
6 application? State your name.

7 MS. SHIPP: Good evening. My name is Carmella
8 J. Shipp. And you all know me. I was chairperson
9 on the Board.

10 First of all, the love of money is the root
11 of all kinds of evil. I just want to know how much
12 money is at stake in Riverdale to harm poor black
13 people. On the people that testified for how much
14 money you made, that is all you could testify is how
15 much money you are making working with this company.
16 If you are, but you don't have the idea of what's
17 going on.

18 I was chairperson, been here since 2008.
19 Because how they knew how strongly I was against
20 this company coming in to dump any kind of waste on
21 our land, the Mayor of Riverdale personally gave me
22 a letter right away to terminate my position as
23 chairperson on the previous board meeting and hire,
24 I assume, people that would probably be on his side,

1 which is what they rightfully do.

2 I could say working with the mayor because
3 they're so interested in saying how lovely this
4 company is. Oh, I have done business with this
5 company. Then you go out and shout against the
6 audience here hollering against the neighbors. We
7 live in this town.

8 I am standing on behalf of myself, the
9 neighbors here and future neighbors. You took an
10 oath to serve and protect people. You're not doing
11 that. So it's all about the mighty buck. I don't
12 know if some of you all are involved in this evil
13 works. How can you sleep at night?

14 They always, and I'm going to say the white
15 people come in and make money off the blacks. Then
16 the blacks come in. They testify oh, such a lovely
17 company. Oh, such a lovely company. They do it all
18 the time. They do it when they're running for
19 mayor. Whatever office.

20 They use us as their money pocket and then
21 when in -- Riverdale is already in the hole. Why
22 they're running here, I don't know if it's because
23 they make more money off the suffering poor people.
24 People don't wake up. You better wake up, black

1 people.

2 You could get with the mayor. Maybe they
3 promised you some money. That say what it's all
4 about. What money did they promise you. But they
5 say black lives matter. Don't matter here in
6 Riverdale or is it just a Chicago slogan. It's
7 happening all over. In fact, it's in the paper
8 about the black community and the poor suburban
9 community pay the highest water bill. Mine was
10 \$142. I don't know about you, but I never in my life
11 paid a \$142 water bill. This is a poor community.

12 MR. WELCH: Ms. Shipp, I'm sorry to interrupt.
13 This is a hearing on the application to --

14 MS. SHIPP: Don't interrupt me. This is all
15 coming together about the love of money is the root
16 of all evil, and this company is a part of it. And
17 you might be a part of it too. So keep that on the
18 record. We can't do anything.

19 MR. WELCH: We have to keep it relevant to the
20 proposed operations of this business.

21 MS. SHIPP: Don't shut me down. We live here.
22 They pay you a check that comes from the poor
23 residents of Riverdale.

24 You should never shut down talking that pays

1 your salary. So the people that came to testify, a
2 lot of you made such money. You're killing lives.
3 Can you sleep at night?

4 MR. WELCH: Thank you.

5 MS. HORTON: My name is Mrs. Horton. I have
6 been in Riverdale almost 30 years. Mr. Welch, I am
7 disappointed in you tonight, I really am, simply
8 because -- I'm serious.

9 Simply because had there been more
10 transparency, we wouldn't have had to do this. If
11 somebody would let us know something sometimes, but
12 very rarely do we find out anything. When we find
13 out, it's already at a critical stage.

14 MR. WELCH: Respectfully, this is a public
15 hearing on the operations of the facility.

16 MS. HORTON: I know what it is now, but I
17 didn't know what it was until somebody brought it to
18 my attention.

19 I didn't even know that they were trying to
20 put anything over there. Sir, I am so sorry that
21 you feel like if we are getting on your nerves, but
22 we're going to get on your nerves worse than this if
23 you put something out here that is going to be
24 detrimental and poisonous.

1 MR. CUNNINGHAM: What is getting on my nerves--

2 MS. HORTON: I have the floor right now.

3 Robby, when you get a moment you could tell
4 Ms. Horton what the heck is going on because to tell
5 you the truth in this room, the only person I trust
6 in here that is up there is you because you have
7 always been straight for me, and you always tell me
8 the truth. I hope to God that you are never lying
9 to me.

10 So far you haven't. But I do not appreciate
11 having to come up here and not know anything. You
12 know darn well these people don't know nothing about
13 whatever in the heck it is you're talking about. I
14 don't know what these gentlemen are talking about.

15 The young men, I am so glad you got jobs. I
16 don't never want to see you without a job. I want
17 you all to have a job, but I don't want you to have
18 a job that is going to poison me. It's just about
19 the transparency. We don't find out nothing until
20 it's too late.

21 MR. WATSON: My name is Thomas Watson. I'm not
22 turning my back on you. I want to talk to the rest
23 of us. I am the most proud black person you could
24 ever know.

1 This gentleman right here, I work for him,
2 but in a different way. I own two dump trucks. Out
3 of all the dump trucks in the City of Chicago, this
4 man is the only one that have taken me in and a lot
5 of other black folks.

6 I am just saying that now to residents. I
7 dump clean concrete, clean gravel, clean rocks. If
8 it was contaminated in there I would be sick. All
9 the folks, all them guys would be contaminated and
10 would be sick. We're driving this stuff. We're
11 walking on this stuff. I want to talk to them to
12 let them know that all that stuff that is going on
13 down there it's clean.

14 If you drive down there, all that stuff is
15 clean over there. There is nothing contaminated.
16 The reason why, because I drive a long way every day
17 to Joliet to Waste Management to take the
18 contaminated stuff. Everything is clean over there.
19 That is all I could tell you.

20 MR. WELCH: Stat your name for the record.

21 MR. REYNOLDS: My name is James Reynolds. I am
22 listening to everybody talk. And everybody says
23 good things about this company. Maybe so that is
24 true.

1 The first things we were told about this
2 company is that they're going to come in here, and
3 they were going to have materials that we could buy
4 and use, such as mulch and dirt. There is no way no
5 one in Riverdale, unless you have a dump truck can
6 go over there and buy anything because they do not
7 sell mulch, dirt, gravel to anyone by the bag.

8 You have to be a contractor because they sell
9 it by the ton. I've been there. I made an inquiry.
10 You have to buy it by the ton, and you have to have
11 a truck for them to load it. They're not selling
12 you bags of mulch, bags of dirt or bags of gravel.

13 Another thing I would like to know is does
14 this company have a site setting for that site?

15 MR. WELCH: Could you explain what you mean by
16 a setting?

17 MR. REYNOLDS: That is like to do this dumping.
18 Are you dumping over there now? Are you dumping
19 over there now concrete or anything else?

20 Can I get an answer? Are you dumping
21 concrete?

22 MR. WELCH: could you answer the question?

23 MR. BRACKEN: Yes, we're dumping concrete.

24 MR. REYNOLDS: You don't have a permit?

1 MR. BRACKEN: We do.

2 MR. REYNOLDS: From who?

3 MR. BRACKEN: The IEPA.

4 MR. REYNOLDS: And you dump concrete and cover
5 over it with dirt. Don't tell me. I have the
6 pictures. I was there. Don't you see it?

7 I'm looking at it. This is concrete, and you
8 got the load covering it over with dirt.

9 MR. WELCH: If you are asking them a question--

10 MR. REYNOLDS: No, I'm not asking a question.

11 MR. WELCH: Ask a question, and they will
12 respond.

13 MR. REYNOLDS: I will withdraw the question.

14 MR. WELCH: Again, Mr. Reynold has the floor.
15 Whoever has the floor should be permitted to speak.
16 We're creating a record. We need to be able to
17 understand what everyone is saying.

18 MR. REYNOLDS: Let me finish. I am not going to
19 stand by. We were told that they were going to sell
20 mulch. I went over there, and mulch cost something
21 like \$27 a ton.

22 My buddy here says he buys mulch and dirt
23 from there. I went there. I said I need some
24 mulch. The lady at the gate says sure, you could

1 get all the mulch and dirt you want, but you must
2 brinkg your truck.

3 So how does that benefit us in Riverdale
4 when they tell you that you could go here, and you
5 could buy this mulch and this dirt. So that is just
6 a coverup. So behind all this facade all the way
7 back in the back, all the way back in the back dump
8 trucks are coming in every day, twenty-four hours a
9 day dumping.

10 And they got a loader there covering it up
11 with dirt. That is illegal, first of all. Don't
12 tell me. It's illegal, I know.

13 MR. WELCH: Address the Board, Mr. Reynolds.

14 MR. REYNOLDS: And like I was seeing by the
15 Board we have all these new members on here. I
16 would like to address this question to the Board.

17 What is a conditional use? What does that
18 mean to you? What does that mean to you? Can any
19 one of you all tell me that? Can anyone tell me
20 that is on this Commission?

21 MR. WELCH: That will be discussed during Board
22 discussion.

23 MR. REYNOLDS: What is a variance? You are
24 going to issue these people a permit, and they're

1 going to say eventually we might accept waste. We
2 might on a conditional basis, but yet still you all
3 don't know what it is and what they might accept.

4 And you guys here is going to vote for this
5 here, and they're talking about bringing waste in
6 from Chicago to dump. When they dump -- in Chicago
7 you know what is in the streets of Chicago and
8 eventually you talk about the water runoff.

9 Ask him about the water runoff. Where is the
10 water running off to? Where is it going to go, into
11 a retention pond? How can you put it in a retention
12 pond if they do not own a retention pond? Where is
13 this water going to go?

14 You as members of the Zoning Board, you must
15 think about this before you all make a rational
16 decision. This is going to affect my life, and the
17 lives of the people and the residents of Riverdale.
18 You sit there smiling and all glib and like this
19 here and say yes.

20 All you're going to do is say I approve, but
21 you're not thinking about the long term down the
22 road. The effects it's going to have on us. You're
23 not thinking about that. Stopping thinking of
24 yourself, think about the future of our community.

1 You need to think about sitting there glib and all.
2 This don't mean a thing if you are going to kill us
3 down the road.

4 Cancer comes from stuff like this here, not
5 right away, but do you know the road. Think about
6 that. I'm through.

7 MR. WELCH: State your name for the record.

8 MR. DEAN: Dion Dean.

9 MR. WELCH: Mr. Dean has the floor. We need to
10 be quiet. There's a record being created.

11 MR. DEAN: For one thing, I am here as a
12 concerned resident of Riverdale. One of the things
13 that was just spoken about, first of all, the lack
14 of information given to the community before this
15 was even moved on.

16 I think that the Zoning Board and the Board
17 of Trustees allowing this to move forward, one of
18 the concerns is I want to you know the fact of lack
19 of information given to us as a community to know
20 that this was going on.

21

22 We got it at the fifth hour that we have a
23 company that wants to dump in Riverdale. Now, in
24 that particular area that was an area during my

1 time, and the Board, most of you know who I am.
2 That's an area we were looking at cleaning up. We
3 were doing lawsuits too.

4 This is on point. We were doing lawsuits to
5 make companies come to clean that area up. Now,
6 we're talking about bringing in hazardous materials
7 from wherever, Chicago. We know it is coming from
8 Chicago. We know this is material that is not going
9 to be clean material coming to our community.

10 This is where we raise our children. This is
11 where our seniors and all these working men and
12 women live. I think it is wrong, that the way this
13 has been done is wrong. Now, one of the things I
14 did read and have some materials on, I didn't have
15 an opportunity to bring it with me this evening is
16 the material is going to be there at least 45 days
17 to six months sitting in our community.

18 Now, you tell me that these dumping
19 situations are not contaminated, but I know all
20 materials has something going on with it. For it to
21 sit in our community, none of you all can tell me
22 I'm wrong. I have the document. They have 45 days,
23 to almost six months sitting in our community.

24 You are telling me you have ways to protect

1 it from spilling. Where is it going? Is it going
2 into the pond that is already contaminated that we
3 were talking about cleaning up? Where is it going?
4 This is our water going to our community. Where is
5 it going? This is information we should know before
6 you move forward on projects like this.

7 We're drinking the water in this community.
8 None of you all are. I don't know about how clean
9 the materials are, but you don't live in Riverdale.
10 These are the concerns we have. There are
11 communities right now that have contaminated water
12 due to dumping.

13 Now, you're going to bring it here to
14 Riverdale. I think it's a shame. In that area
15 right now not only are you hurting our community,
16 also other businesses that want to come along that
17 corridor that we were talking about cleaning up.
18 Why should they come in knowing that we're making it
19 a dumping ground? They're not going to come now
20 because they have employees that work in that
21 building, the bosses, the residents have to be in
22 that building as well.

23 I think you guys need to think this through.
24 This is our community. This is our community.

1 MR. McKAY: My name is Roy McKay. I have a
2 question. My first question, we have one transfer
3 station in the Village already right around the
4 corner.

5 Why do we need another one is my point?
6 Number one, you also said that you guys would take
7 all the stuff out that shouldn't be there. I
8 want to know how are you going to take the oils out?
9 How are you going to take all those things out that
10 goes into the ground and who is going to remove it.
11 Why do we need another transfer station? It's not
12 going to work here because we know exactly what's
13 going on here.

14 And I for one -- most of you know who I am.
15 I do this work every day. I am done. So I'm not
16 for it, and you guys are wrong for doing it.

17 MR. WELCH: State your name for the record.

18 MR. CLARK: Everybody know my name. My name is
19 William Clark.

20 MR. WELCH: Do you swear to tell the truth?

21 THE WITNESS: Most of the time.

22 MR. WELCH: You need to say yes.

23 MR. CLARK: Yes. I tell the truth all the time.
24 You all trying to make this community, and you know

1 what I'm talking about, like where my son lives in
2 University Park.

3 It has been devastated there because they have
4 a mess like this. What do you all know about what
5 Roy McKay is talking about, and Dion is talking
6 about? You haven't been here long enough to know
7 other than Mr. Cunningham.

8 That land is contaminated. It has always
9 been contaminated because that's why nothing was
10 ever over there other than the scrap metal place,
11 and ABC with the oil contaminated the land.

12 They come in and covered it up. And in order
13 to remove contamination you got to go 6 feet down,
14 put crushed rock. On top of the crushed rock, you
15 got to put boulders to clean up the contamination.

16 Why do you think nothing has been over there
17 in 20 years, thirty years? I have been in Riverdale
18 for 28 of them years. When I moved here the scrap
19 metal place was shut down. The oil from the motors
20 from ABC running off into their land. You all had
21 no idea what Mr. Reynolds was talking about when he
22 asked you about zoning. You don't know. You are
23 hand picked puppets.

24 MR. CUNNINGHAM: Now, you're out of line. I

1 have a degree in construction technology. I know
2 more about construction and building than any of you
3 all.

4 MR. WELCH: Mr. Clark and Mr. Cunningham,
5 order. Mr. Cunningham, Mr. Clark, keep it civil.
6 Keep it to the application.

7 MR. CLARK: Stop getting put on these Boards
8 that you're not qualified to be on.

9 MR. WELCH: Mr. Clark.

10 MR. CLARK: You are not qualified to be on the
11 library Board.

12 MR. WELCH: Mr. Clark, please discuss the
13 application.

14 MR. CLARK: Running around playing police
15 officer.

16 MR. WELCH: Keep it to the application.

17 MR. CLARK: Sometimes it is better to be a
18 tired fool and open your mouth and remove all
19 doubts. Ain't nobody going to mess with me.

20 MR. WELCH: Mr. Cunningham, Mr. Clark, let's
21 give mutual respect.

22 MR. CLARK: You want to see me?

23 MR. WELCH: Mr. Clark, please.

24 MR. CLARK: Get back to the issue. It would be

1 a shame. You are all a disgrace to our community.
2 We don't need no dump. We need hardware store. We
3 need a supermarket, something that is going to
4 benefit the community.

5 The thing of it is why not act like
6 responsible community people and ask for things that
7 we need. Ask for things that the children can be
8 proud to go to. You want your child going up there
9 to a dump, no.

10 Nobody is trying to bring anything into this
11 community that we need. It was they were going to
12 open a restaurant right across the street here.
13 That was a year and a half ago. It ain't open yet.
14 Why? Because the property taxes are too high.
15 We're not going to get no supermarket. That is
16 18 miles of land.

17 That would have been nice to get. But this
18 administration can't get those kinds of businesses
19 to come here. We suffer from the lack of knowledge.
20 We do nothing to try to uplift this community. We
21 kill it, just like University Park. My son and his
22 children, and his wife live in a devastated
23 community.

24 That is just the way this one is headed.

1 Ms. Horton got a daughter that live in University
2 Park. There is absolutely nothing there. Four
3 policemen, four firemen.

4 MR. WELCH: Mr. Clark.

5 MR. CLARK: All the people in that
6 administration, \$800,000 messed up government money.
7 Being indicted.

8 MR. WELCH: Mr. Clark, keep it relevant to this
9 application.

10 MR. CLARK: The application should be thrown in
11 the garbage. It should be thrown in the garbage. It
12 ain't even worth the paper that it's written on.

13 MR. WELCH: State your name for the record.

14 MS. GILMORE: Cynthia Gilmore. One of the
15 things that came to mind when you guys talk about a
16 recycling dump, whether it be hazardous or not, if
17 you check the property values, I recently had an
18 appraisal done on my house, and it is heartbreaking.

19 Most of us couldn't move if we wanted to
20 because our value in our house is so under water, it
21 is heartbreaking. And half of the reasons is
22 because nobody wants to buy in Riverdale because of
23 all the problems that we having.

24 We have multiple problems and to add one more

1 to that pile is unacceptable. Mr. Clark stated all
2 the things that we need in this community. Some of
3 the things -- and Robby, I talked to you I swear
4 once a week. We can't control squatters. We can't
5 control renters. We can't control these crackheads
6 running around here.

7 I know they got EPA and all that good stuff.
8 On a day to day basis all we have is you. I have a
9 problem getting a house looked at because we have
10 squatters stealing gas, electric and water.

11 Their intentions may be good in the beginning
12 just like every other business. They're all nice,
13 shiny and cute and come with all these little pieces
14 of paper saying what they're going to do.

15 Four months down the line it's a whole
16 different story. I came to a Board Zoning meeting.
17 You let a place go in on 139th and Indiana. Everyone
18 said all the right words, we're going to stay open
19 from nine to five.

20 We called you several times on that company.
21 Robby, your hands are full as it is with the other
22 stuff. This community needs a lot of things. A
23 recycling plant is not one of them or a recycling
24 dump or whatever word you want to put on it.

1 Once again, we only have you to monitor all
2 of these problem. And right now as of today like I
3 said, you have a house on my block. I can't get any
4 satisfaction on that situation, Robby. When they
5 get together what they're going to do, who are we
6 going to call? It took us 15 to 20 years to get
7 some sewers in there. That finally got done. Yeah,
8 but 20 years that people had to suffer through.

9
10 How long is it going to take? How many years
11 is it going to take when they start doing what they
12 want to do at our expense. Nobody over here. I
13 don't know what city you live in. When my value was
14 down, your value was down, and your value was down.
15 I don't care what they do with their house.

16 We can't sell. And the only people buying
17 coming to this community are renters who are
18 Section 8. I'm not saying all Section 8 are bad. We
19 don't have enough people to monitor half the things
20 that is going on.

21 You've been on 138th Street. They have a
22 license I understand. You're doing a terrible job,
23 and we're going to continue to let more stuff get
24 dumped on us. I really wish you guys would look at

1 what you're doing, not just this company, but with
2 anybody else you bring in the future.

3 This is ridiculous Check your value on your
4 home. I'm assuming all you guys lives in Riverdale,
5 am I correct? Google it. Try to sell it. Call an
6 agent. Crime is going up.

7 MR. CUNNINGHAM: I paid for mine cash.

8 MS. GILMORE: Good for you, but a lot of people
9 still have mortgages. A lot of elderlies that have
10 a mortgage.

11 MR. WELCH: Mr. Cunningham, please.

12 MS. GILMORE: You guys better do a better job.

13 MR. BRACKEN: Can I jump in to say one thing?

14 MR. WELCH: We'll give you a chance.

15 MS. RANDALL: Kay Randall. I have been living
16 in Riverdale since 1986. My house is worth less
17 than what I paid for it in 1986, and and as bad as
18 we need business in Riverdale, this is not a
19 business that we need.

20 We need a business that is going to benefit
21 our kids' kids because we might not be here long
22 enough to see the effects of a dump. As they said
23 earlier, who is going to monitor this and what's
24 already in the soil from ABC Auto and the other one

1 across the street in Blue Island.

2 They're dumping cars, their engines on daily
3 basis that's been sitting there for years. I lived
4 here for 31 years. When I moved to Riverdale, that
5 place on 138th Street was on its way out. So if
6 that property has been vacant that long, who has
7 went in there to clean it up to make it salvageable
8 now?

9 Who cleaned up that property? Now they're
10 asking us to put more waste on top of waste. Please
11 think about our village. As bad as we need business
12 here, and we are in desperate need of businesses to
13 offset our homeowners property tax.

14 Our property taxes are ridiculous because we
15 don't have any businesses to absorb anything here.
16 We used to have Acme Steel. When Acme Steel was
17 here, all things were good. When I moved to
18 Riverdale my taxes were \$400 a year. Now it's
19 \$4,000. And I paid \$58,000 for my house, and it's
20 worth less now than it was in 1986. That's a shame.

21 As they say, you can't sell it. I can't
22 move. All I could do is walk away and cut a loss.
23 That's all I can do. And that's what my neighbors
24 are doing because the property taxes in Riverdale

1 are ridiculous. But we're just one of many suburbs
2 that are in this place.

3 And we don't need this type of business. We
4 need grocery stores. We need doctors here. I can't
5 even come up to 144th Street and buy a tomato.
6 Where can you get a tomato in Riverdale? Where can
7 you get a green pepper in Riverdale? I don't know.
8 That is what we need.

9 Do anybody know where you could get an onion
10 in Riverdale? We used to have a grocery store. Not
11 anymore. 144th Street used to be very vibrant. We
12 had everything right here in Riverdale. But for one
13 reason or another those businesses left.

14 MR. WELCH: This is a hearing on an
15 application.

16 MS. GILMORE: I am talking now, and I have the
17 floor now.

18 MR. WELCH: It has to be relevant to the
19 application.

20 MS. GILMORE: It is relevant.

21 MR. WELCH: General discussions in the
22 community.

23 MS. GILMORE: You don't live in Riverdale.

24 MR. WELCH: Let's talk about the application.

1 MS. GILMORE: When this meeting is over, you
2 get in your car and leave Riverdale, and the next
3 time you come back is when we have a meeting, yet we
4 pay your salary, and you're trying to cut me off.
5 And I do not appreciate it.

6 And it is relevant. It is relevant because we
7 don't need somebody to dump on top of a dump.

8 MR. WELCH: Fair enough. Let's talk about the
9 dump.

10 MS. GILMORE: That's what I'm talking about.

11 MR. WELCH: We're talking about --

12 THE WITNESS: It ties into all of it. We don't
13 need a dump. We already have one. Why do we need
14 another dump in Riverdale?

15 Who is going to go there and buy mulch and
16 in bulk. Do you need a half a ton of mulch at your
17 residence. Are you going there to buy mulch and
18 dirt. Who needs that kind of dirt? Please take
19 into consideration, like I say, we might be around
20 to see the negative events, but if you have
21 children, grandchildren and some of you might have
22 great children, think about them if not yourself.
23 Thank you.

24 MR. BRACKEN: One thing I want to make pretty

1 clear, everybody keeps referring to it as a dump.
2 It's a recycling facility. We could use the
3 material. That is beneficial to the town.
4 Everybody believes in the chief. Chief, you've been
5 there. You've seen it. We have also done other
6 things for the town. We have done demolition.

7 MR. WELCH: It's his application. He could be
8 called up. State your name for the record.

9 MS. SIMS: Janice Sims. I've been in this
10 community since 1984s.

11 I am appealing to you Board members, please.
12 We don't need this. We need other things. I'm a
13 retired educator and a nurse. We need a health care
14 facility. We need so many other things. So please
15 in your heart, please reevaluate it.

16 And most important, put prayer on it. Do you
17 hear me? Please do that. Twenty-five years ago, I
18 don't know the old timers around here, they tried do
19 the same thing. Ms. Horton and I, we go back years.
20 We didn't need it then. We don't need it now. We
21 need other things.

22 So please and that is all Ms. Sims has to
23 say. Put prayer on it please, because I am.

24 MR. WELCH: Do you intend on calling anyone up

1 to testify?

2 MR. LaROSE: I might, but it's probably just
3 going to be me.

4 MR. WELCH: State your name for the record.

5 MR. LaROSE: Mark LaRose. Members of the
6 Board, I do not agree with or condone any attacks on
7 your integrity or your knowledge or anything about
8 why you are here.

9 Mr. Welch, I submitted a letter earlier
10 today, November 2nd, a supplement to my
11 September 5th letter.

12 MR. WELCH: Do you want to make a motion to
13 enter this document into the record. It's called
14 LaRose Document number 1.

15 MR. LaROSE: Tri-State.

16 MR. WELCH: You're here as counsel for
17 Tri-State?

18 MR. LaROSE: Yes.

19 THE WITNESS: We'll call it Tri-State Document
20 number 1. Do we have a motion?

21 MR. CUNNINGHAM: Aye.

22 MR. WELCH: So moved.

23 MS. JOHNSON: Second.

24 MR. WELCH: All in favor. Roll call.

1 MS. RUSSELL: Member Cunningham.

2 MR. CUNNINGHAM: Yes.

3 MS. RUSSELL: Member Blount.

4 MS. BLOUNT: Yes.

5 MS. RUSSELL: Member Taylor.

6 MR. TAYLOR: Aye.

7 MS. RUSSELL: Member Johnson.

8 MS. JOHNSON: Aye.

9 MS. RUSSELL: Member Stone.

10 MR. STONE: Aye.

11 MS. RUSSELL: Member Griffin.

12 MS. GRIFFITH: Aye.

13 MR. WELCH: Okay.

14 MR. LaROSE: I apologize for getting this
15 document to you so late, but at the last hearing --
16 that was actually a hearing on September 5. Some of
17 you were here. Mr. Cunningham was here. Ms. Blount
18 was here. I think maybe Ms. Anthony was here.

19 Anyway, the Board asked for additional
20 information and said they wanted additional
21 information to consider it and that is why this is
22 here. I apologize for being late. There's a reason
23 for it. Some folks stood up and said there was a
24 lack of transparency.

1 I found out about two weeks ago that
2 Ms. Shipp was terminated from the Board. They said
3 that she was terminated because her term had
4 expired. Well, her term had expired two years ago.
5 She only got terminated after she expressed some
6 displeasure that she was against this application.

7 That same day, three of you guys were
8 appointed to the Board. Mr. Stone was one of them.
9 When I called the Village and said can you tell me
10 who is on the Board, you know what they told me?
11 File a Freedom of Information request. Really.
12 Spend the time and money to write a letter to find
13 out what somebody could have and should have told me
14 over the telephone.

15 I didn't know until last night who was on
16 this Board. I got the answer to the Freedom of
17 Information request last night. So I couldn't even
18 address this letter to you all until today and
19 that's why you got it today.

20 Mr. Stone, you asked a great question. Do
21 you have all of the permits. Guess what? They said
22 they did. That's a lie. That's a lie. If you look
23 at the applicant's submittal, I think it was number
24 two, and there's a summary page, the only thing they

1 have from the IEPA is the third thing down,
2 Riverdale CCD recycling application. And it's for
3 the development of a recycling facility.

4 I have looked at that permit because I had to
5 FOIA the IEPA and the Village to get it. It doesn't
6 allow operation. One, it's only a developmental
7 permit. It says that the applicant still has to
8 apply for the proper Riverdale approvals, and it
9 says that they can't operate until they get an
10 operating permit. Well, guess what. They're
11 operating. They're operating.

12 And in the package I gave you --

13 MR. WELCH: Hold it. Everyone again, we're
14 creating a record. He has the floor.

15 MR. LaROSE: Everyone, please. I was
16 respectful of all of you. So they're operating. In
17 the package that I gave you today, there's pictures
18 of the operation.

19 Also while I respect all of your positions
20 on the Board and your appointments and all that, and
21 it's in here. Ms. Shipp heard the evidence. People
22 stood up. They were sworn in to tell the truth.
23 They did some more of that tonight.

24 They get rid of Ms. Shipp. The mayor is for

1 this. His picture is on the street there. Another
2 project brought to you by Lawrence Jackson. So we
3 kind of know what's going on here, but my question
4 is isn't it difficult for any of you that were newly
5 appointed to rule on this now without taking a
6 closer look at it when you weren't here for the
7 prior testimony?

8 Now, this is my court reporter. They didn't
9 pay for this, I did. I have a court reporter. You
10 might have all been given the transcript, but as you
11 know, the transcript is words, and the testimony is
12 testimony. You look in people's eyes. You could
13 tell what's going on.

14 MR. WELCH: Mr. LaRose, they don't rule on
15 anything. They're merely a recommending body. And
16 any review is a legislation decision subject to de
17 novo review.

18 MR. LaROSE: I understand that, but they are
19 going to vote to recommend or not recommend. So if
20 they're not doing that, what are we doing here?

21 MR. WELCH: They're voting to recommend.

22 MR. LaROSE: To recommend or not recommend. So
23 they do decide stuff with all due respect,
24 Mr. Welch.

1 So you're going to be asked to decide whether
2 to recommend approval of the Village Board of this
3 application or not recommend it. When your
4 ordinance -- and it's in this document I gave you.
5 Your ordinance says that you shouldn't give a
6 conditional use to somebody who created their own
7 problem.

8 Well, they bought the property. They applied
9 for the permit, but they didn't get them all.

10 MR. WELCH: Could you identify where that
11 applies, the conditional use?

12 MR. LaROSE: Sure. It's in the letter if
13 anybody took the chance to read it. It is Title 17
14 of the zoning regulations, and it says the VBA shall
15 vary its zoning regulations --

16 MR. WELCH: That's a variance.

17 MR. LaROSE: If the difficulty or hardship is
18 caused by Title 17 and has not been created in any
19 way by the persons presently having an interest in
20 the property.

21 MR. WELCH: That is a variance. They are
22 applying for a conditional use. They're not the
23 same thing.

24 MR. LaROSE: So the conditional use, I'm not

1 sure why you're asking me questions because you
2 don't have any jurisdiction here, none whatsoever.

3 MR. WELCH: I am their attorney advising them.

4 MR. LaROSE: You could advise them, but I'm not
5 sure why I have to be cross-examined by you because
6 you're not on the Board. You're not the Chairman of
7 the Board.

8 Quite frankly, you shouldn't be saying
9 anything at all.

10 MR. WELCH: The Board has authorized me.

11 MR. LaROSE: There is a Chairman of this Board,
12 I would imagine that has been assigned as chairman.

13 MR. WELCH: Not at this time.

14 MR. LaROSE: Anyway, here's the point. Do you
15 want to let me be cross-examined by your attorney,
16 fine.

17 These folks came here to get your
18 recommendation to operate this business. And before
19 the hearing is even over, they're operating the
20 business. This is the kind of folks you're dealing
21 with, okay. I'll tell you something else about this
22 property.

23 Some of you knew this because you were here
24 before. But I worked in this property and at this

1 property from 1986 to 1994 almost every single day.
2 I didn't live in Riverdale, but I worked here
3 almost every single day.

4 There isn't anybody in this room, maybe not
5 many people left in Riverdale that know this
6 property better than I do. I'll tell you one thing,
7 it's a sham. These guys talk about where the runoff
8 is going into the detention pond right here. Guess
9 what, here is the property line.

10 They don't own the detention pond. They have
11 no right to put anything in there. They don't own
12 the retention pond. The other thing is kind of like
13 do you add insult to injury. The injury is the
14 already terrible condition of the site. Mr. Toth,
15 the attorney, and Mr. Liss, the last time it's in
16 this letter here verbatim from the record said
17 there's no environmental problem with the property.

18 I got up there and said I know differently.
19 I said that's a lie. Attached to this is an
20 Illinois Appellate Court case, from the early 1960s
21 that approved the shutdown of this open pit
22 landfill. Some of the testimony that was in this
23 Appellate Court case, and I gave it to you here,
24 says that it operated 24 hours a day.

1 They dumped sludge. They dumped hazardous
2 waste. They dumped paint. When it got too hot it
3 lit on fire, and the flames were more than 100 feet.
4 That is not me talking, that's the Appellate Court
5 case and that's these guys saying there's no problem
6 with this site. And there it is in writing.

7 Don't listen to me, listen to the Illinois
8 Appellate Court. Now, does any expect them to clean
9 it up? I say no. It would cost hundreds of
10 millions of dollars. But the point is all that
11 stuff that got dumped into the landfill, all of the
12 hazardous waste, it's still there. That's the
13 injury. The insult is -- so remember what they
14 said. It's all dirt. We won't have any problem.

15 You're going to put materials on the dirt.
16 When the rains hits it could leach further into the
17 ground and add insult to the injury that's already
18 there.

19 If this place was going to be developed
20 correctly, it should be capped off with some kind of
21 asphalt, concrete so that materials that are dumped
22 on top of it can't get back into the ground to add
23 insult to injury.

24 Let's talk for a second about the new

1 company. I get that. I am a transactional lawyer.
2 I help people form new businesses every single day.
3 So a guy comes to me and says I'm going to form a
4 new business because I am going to buy this
5 property. I'll run it. Form me a new business
6 because I don't want my other businesses to be
7 liable for what I'm doing in the new business.

8 That's really smart. I do that for people all
9 the time. But the reason for that is so that if
10 something goes wrong, then that new business can
11 just go bankrupt and walk away, and the riches of
12 the other businesses don't get touched. So there's
13 a way to solve that.

14 My client is Tri-State Disposal. Tri-State
15 is not 700-yards from this facility. Right around
16 the corner on Ashland. When Tri-State came in the
17 early 2000s and took over the transfer station they
18 were required by the Village of Riverdale to post a
19 \$50,000 CD. It's still sitting in the bank for the
20 benefit of Riverdale.

21 They also were required by contract to pay
22 royalties to the City, to the Village and since the
23 early 2000s my client has paid over one million
24 dollars. None of this maybe we'll fix your alley or

1 we'll give you some dirt. They pay every month to
2 go in there with a report. There is what I dumped
3 there, and here's your royalty. Well over a million
4 dollars.

5 If you are thinking about doing this, make
6 sure you put some conditions in there that says
7 these guys got to put up some security because if it
8 don't work out for them and they run for the hills,
9 then we have something to take care of the property.

10 Mr. Bracken says -- Mr. Stone, you asked
11 another good question or somebody did. How do you
12 know that what comes in there isn't hazardous?
13 Well, Mr. Bracken said we look at it. And then he
14 said they backed up and said hey, there's some
15 paperwork and should be in the office, whatever.
16 They do this every day, this environmental stuff.

17 With the U.S. EPA, IEPA, the Cook County
18 Department of Environment, the City of Chicago
19 Metropolitan Sanitary District. None of them look
20 at nothing. It is the owner's responsibility if
21 it's special waste, which is industrial waste,
22 pollution control, waste. It has to have a
23 manifest. If it's industrial waste, it can't go
24 there. But if it's got nothing, you can't just look

1 at a pile of dirt.

2 My job for the scrap metal yard was to test
3 their waste every month. Literally I got on the
4 pile, took my sample itself, sent it into the lab to
5 determine what the content was. Was it PCBs, was
6 there lead in it. Was there cadmium. That was kind
7 of the bad actors that you were trying to stay away
8 from. I still do that today.

9 I still go out. I climb on a waste pile, and
10 I take the sample. You can't look at it. I could
11 take a scoop of dirt from the back yard, and it
12 could have lead in it. You would never know. You
13 can't look at it. You have to test the materials.

14 So the idea that nothing is hazardous, maybe,
15 maybe not. I just want -- and we've been here a
16 long time. So I'm going to wrap it up unless
17 there's any questions. I want you to take a look at
18 the records from the last time and take a look at
19 these additional materials I submitted today, the
20 Appellate Court.

21 Testimony from the hearing. The fact that
22 they're operating, and they don't have an operating
23 permit. But even if they did have an operating
24 permit they still need approval from your

1 recommendation and from the full Board and that
2 ain't happening. So before you jump, especially the
3 newer folks, take a close look. It really deserves
4 a closer look. Unless there are any questions,
5 thank you.

6 MR. WELCH: Is there any further testimony?
7 Again, is there any further testimony?

8 MR. SYNEICKI: Michael Syneicki of Daley and
9 Georges. I represent the applicant. I just wanted
10 to state for the Board that this is not a dump site.
11 We're clean construction debris that will be
12 transferred to another location.

13 There's a competitor here that Mr. LaRose
14 represents who is trying to mislead and confuse the
15 Board. There will be no hazardous materials at this
16 site. Mr. Bracken has paid over \$300,000 in taxes
17 for this site last year. I think this is a real
18 opportunities for the Village to bring jobs here and
19 it could bring back revenue. Thank you.

20 MR. WELCH: Seeing no further testimony --

21 MR. MATE: My name is Tom Mate. I am the
22 general manager of that facility. And I have worked
23 for many garbage companies, including competitors
24 right around the corner.

1 I make sure that my guys check the loads.
2 Our loads coming in are PID tested. I know my
3 competitors does not have a PID tester. They do not
4 test the loads. I know that. I worked at the
5 place. I work here. We have a PID tester that
6 checks for the stuff.

7 The lawyer said they check once a month. I
8 get checked more than that by the EPA all the time.
9 They drop in regularly. I just had one this week.
10 This week they came in, an air EPA. I passed with
11 flying colors. They were unannounced. They dropped
12 in, had complaints.

13 We are going to be doing stuff for the
14 residents. The man said he came there and a woman
15 said that they don't sell it unless you have a
16 truck. The normal person that is at the scale is
17 not a woman, it's a man. But anyway it doesn't
18 matter. I know who works on the scale. The normal
19 person is a man that works there. And the woman
20 that was filling in didn't know how the operations
21 go.

22 If somebody comes to the facility and wants
23 something, I make every effort to get a truck and
24 have it delivered. If they want a truck delivered I

1 have done it myself where I have gotten a truck,
2 loaded it, and I have gone to places for the
3 residents. I am in the process of buying bags.
4 They are there onsite. And any of you can come
5 there tomorrow and see I have bags. The city have
6 already bought them.

7 But we have to get approved for everything to
8 start it, and we can't go ahead and jump into
9 everything when we don't have -- I am not going to
10 hire a whole bunch of guys to start doing the bags
11 when we can't yet. But it is there. It is all
12 ready. We have scales.

13 We're putting things in and getting ready to
14 do this. And we're doing everything we can to make
15 things right. I check every day. I have a man at
16 the scale that checks every day. We have PID
17 testers. We have EPA drop ins all the time. I've
18 had the federal, the State, the County at my
19 facility four times this month alone.

20 And I have not one complaint, not one thing
21 wrong. What we do in the back, is crushing
22 concrete. Crushing concrete, I have pictures on my
23 phone. Everybody keeps saying it's contaminated
24 dirt. We were told by the EPA we cannot take it

1 out, but we covered it up with 2 feet of clay. We
2 have brick, concrete and crushed stone that we crush
3 at our facility.

4 The reason why we are operational is because
5 we had to prepare the site, which was what the
6 permit said. We had to prepare the site. We had
7 the concrete crushers. We're crushing concrete
8 onsite. Anybody can drop by. I'll give you a tour
9 personally. We have clean concrete that is crushed.
10 I have pictures on my phone if anybody would like to
11 see. I took pictures.

12 You could see where the land was, and I put
13 2 feet of bricks and concrete over the contaminated
14 stuff because that's what we were told to do. Then
15 we covered with the crush stone. Then we put
16 asphalt grinds six inches thick on the material.

17 Nobody is going to come up and be able to
18 afford that, but we're doing it. Everybody keeps
19 saying there is nobody in the neighborhood. Nobody
20 been there for 30 years, 20 years you finally got
21 somebody to take an interest to want to do something
22 in this town.

23 MR. REYNOLDS: What is good about it?

24 MR. MATE: We're making stone. I see the

1 pictures that somebody puts propaganda that we're
2 dumping the stuff. We temporarily still dumped for
3 the Nary project, which did something for the
4 community because we helped with the project with
5 the waterway so you guys didn't flood no more.

6 That stone was from us. We crushed the
7 concrete to make the stone for that property. We
8 got it for a cheap price. They didn't do it for
9 free.

10 MR. WELCH: This is not a back and forth, this
11 is testimony.

12 MR. MATT: I just want to let you know we are
13 trying to make things right for the business.

14 MR. REYNOLDS: You are insulting the people of
15 Riverdale. You need to sit down and get out of
16 here.

17 MR. WELCH: Mr. Reynolds.

18 MR. REYNOLDS: That is them covering it up
19 right there. Dumping and covering it up. And then
20 they're not supposed to be dumping, and here are
21 pictures of them dumping and covering it.

22 MR. WELCH: I'm trying to maintain order.

23 MR. REYNOLDS: I seen it. I was there looking
24 at it.

1 MR. WELCH: Is there anyone else that would
2 like to speak? We have to create a record.

3 MS. WILLIAMS: I'm Paula Williams. I just want
4 to find out how are they operating without being
5 able to vote them in and say okay, we want to deal
6 with this or whatever?

7 We are the people that live here in
8 Riverdale. How are they operating already without
9 our knowledge? That's my question.

10 MR. WELCH: The code allows temporary
11 operations. What happened was the Village
12 misidentified the use as a permit use and authorized
13 them to begin.

14 When it was reviewed, there was discussion
15 made that said you know what, this is more properly
16 a conditional use. So the operator in reliance on
17 what the Village said, began operating because the
18 Village identified them as a permitted use that
19 would not be subject to hearings.

20 When the mistake was noticed, we informed
21 them that that was the wrong identification. You
22 need to go through the conditional use process. The
23 code allows temporary operations pending outcomes.

24 MS. WILLIAMS: Have they been stopped with

1 their operations right now?

2 MR. WELCH: As I stated, the code permits
3 temporary operation.

4 MS. WILLIAMS: How long is the temporary
5 operations going to last?

6 MR. WELCH: They're going through the process.
7 If it were to be denied, their operations would
8 cease.

9 MS. WILLIAMS: How long is this process?
10 That's my question.

11 MR. WELCH: This process should conclude, I
12 would say, by the fourth Tuesday of November when it
13 going in front of the Board for a final decision.

14 MS. WILLIAMS: Do the Riverdale residents have
15 a say so?

16 MR. LaROSE: The fourth Tuesday in November.

17 MS. WILLIAMS: Do we have a say so in this,
18 whether we want them here or not?

19 MR. WELCH: You're exercising your say so right
20 now in being made part of the record.

21 MS. WILLIAMS: Well, I'm saying no. So after
22 November the 4th, whatever you said, will their
23 operations ceased?

24 MR. WELCH: It depends on the type of action

1 taken by the Village Board.

2 MS. WILLIAMS: Is the Village Board including
3 the residents or just the Board?

4 MR. WELCH: The Village Board are the
5 individuals that is community elected to represent
6 them in their village and government.

7 MS. WILLIAMS: So that you all sitting here --

8 MR. WELCH: No. This is a recommending body.
9 It's the Zoning Board.

10 MS. WILLIAMS: When do the residents find out
11 whether this is an ongoing process or it will cease?

12 MR. WELCH: The fourth Tuesday in November will
13 be the Village Board meeting where whatever
14 recommendation is submitted that this Board makes
15 will be submitted to the Village Board for final
16 action.

17 MS. WILLIAMS: We will be able to find out
18 November 4?

19 MR. WELCH: The fourth Tuesday in November. I
20 don't have a calendar in front of me. November 28.

21 MS. WILLIAMS: Because right now we all kind
22 of upset because you all have got one in here
23 without our knowledge.

24 And it's like we don't agree with a lot of

1 the things that has been going on. I don't know how
2 did you all do this without our knowledge of this.

3 And you're not even bringing any lucrative
4 business in the Village. So with that, you all need
5 to really reconsider this because I am in
6 disagreement with this dumping. I would rather see
7 some more lucrative business in the Village. I've
8 been here 30 years.

9 I don't see anything running downtown
10 Riverdale right now. You have a grocery store. We
11 have a drugstore, that's fine. But other
12 businesses, we don't have anything. I would rather
13 see other businesses coming in here even if you have
14 to do low income. Let's get some business here in
15 Riverdale.

16 MS. PLEVENS: My name is Patricia Plevens. She
17 answered on what I was just thinking. What benefit
18 is it to Riverdale for the residents? What is it
19 bringing to Riverdale? If anybody can answer.

20 MR. WELCH: This is testimony. If you don't
21 feel it's bringing anything, I think you should
22 inform the Board the basis for your belief.

23 MS. PLEVENS: What business or advantages is it
24 bringing to the people of Riverdale?

1 MR. WELCH: Ma'am, this is testimony. If
2 that's your belief, you should inform them of the
3 basis that leads you to believe that it's not a
4 benefit. You're testifying in front of them.

5 MS. PLEVENS: Well, I'm asking what benefits?
6 How is it benefiting Riverdale?

7 MR. WELCH: It is testimony on your part. You
8 could set forth the facts.

9 MS. PLEVENS: I've been here for a while
10 myself, and all I've seen is tyranny and that's all
11 I've seen. I went to my assessor's office for
12 Thornton.

13 Riverdale has the highest rank because they
14 have no businesses or we pay higher taxes than
15 anybody in Thornton. The rate of the assessment,
16 because we have empty houses that are standing. You
17 have businesses that are not here anymore.

18 So does it bring in that type of business,
19 how does that benefit Riverdale except bring in more
20 revenue for Riverdale?

21 MR. CUNNINGHAM: Yes, tax revenue as well and
22 job opportunities. It's bringing in more people to
23 come in to patronize the village.

24 MR. WELCH: She's a person testifying. It's

1 not a question and answer session.

2 MS. MEADORS: I don't think it will benefit
3 residents.

4 MR. WELCH: Ma'am, for purposes of the record
5 can you spell your last name?

6 MS. MEADORS: M-e-a-d-o-r-s.

7 MR. WELCH: I believe everyone has testified.
8 Is had anything else?

9 MS. REYNOLDS: I got a question since you all
10 said that. My name is Dorcel Reynolds. I have a
11 question for the company.

12 I have a CDL license. So since you said
13 you're giving jobs to people, is it possible for me
14 to get a job?

15 MR. BRACKEN: We have jobs.

16 MS. REYNOLDS: Am I qualified to get one of
17 those jobs?

18 MR. BRACKEN: Is it class A or class B?

19 MS. REYNOLDS: It's class B.

20 MR. BRACKEN: If your MVR is clean.

21 MS. REYNOLDS: I got it.

22 MR. BRACKEN: I'll see you tomorrow.

23 MR. WELCH: Is there any further testimony?
24 Seeing no further testimony, we're going to Board

1 discussion.

2 Is there a motion to go into Board
3 discussion?

4 MS. GRIFFITH: A motion.

5 MR. WELCH: Is there a second?

6 MS. BLOUNT: Second.

7 MR. WELCH: All in favor. You have the
8 application in front of you. It's an application
9 for a conditional use to operate a recycling
10 facility and transfer station at 1201 West 138th
11 Street.

12 Conditional use is a use that is tantamount
13 to a legislative finding that the use is in harmony
14 with the general zoning plan, but there may be some
15 attributes to this particular use that is unique to
16 the applicant and that you need to put conditions on
17 it to minimize the negative secondary effects of the
18 surrounding property.

19 There's seven elements that the code provides
20 that you have to find this use meets and if for
21 whatever reason you feel this use doesn't meet one
22 of these elements, it doesn't qualify for a final
23 use, but you can put conditions on this use to
24 assist the use in meeting these conditions. And

1 it's in that nature that it's a conditional use.

2 There was some discussion about whether this
3 is a variance. This is not a variance. A variance
4 relates to bulk regulations such as yard setbacks,
5 heights, regulations, things of that nature. A
6 variance is something where you allow someone to
7 construct something that is in direct conflict with
8 your code.

9 A conditional use, the code says the code
10 says a transfer station and recycling facility is
11 generally allowed in this area as long as it can
12 meet these seven conditions. And it should only be
13 denied if it doesn't. So what are those conditions
14 in this. This is 17.03.11. And it's that the
15 establishment maintains operation of a conditional
16 use will not be detrimental to or endanger the
17 public health, safety, morals, comfort, health or
18 general welfare.

19 So when you consider this you cannot deny
20 when there's a legislative finding the Village Board
21 most likely decades ago listed these uses as
22 conditional use. You're not permitted to deny it
23 just because it's a transfer station or a recycling
24 facility, so that it's not permitted to be denied.

1 It has to be there's something peculiar to this use
2 that prevents it from meeting the standard. So that
3 is standard one.

4 It will not be detrimental or endanger the
5 public health, safety, morals, comfort or general,
6 two, the conditional use will not be injurious to
7 the uses and enjoyment of other property in the
8 immediate facility. Three, from the establishment
9 of the conditional use will not impede the normal
10 and orderly development and improvement of the
11 surrounding property for uses permitted in that
12 district.

13 Four, adequate utilities, access roads,
14 drainage and/or necessary facilities have been or
15 are being provided. Five, adequate measures have
16 been or will be taken to provide ingress and egress
17 so as to minimize public congestion on public
18 streets. Six, that the proposed conditional use is
19 not contrary to the objectives of the current land
20 use plan of the Village.

21 And seven, the conditional use shall in all
22 aspects conform to the applicable regulations of the
23 district. So you take the testimony that was
24 provided, the documents that were put into the

1 record, and you have to determine whether or not
2 this meets the standards.

3 And in doing so, again, you have the
4 authority to place reasonable conditions, and the
5 conditions have to be conditions that are designed
6 to minimize any potential impact on surrounding
7 properties.

8 So with that being said, I open it up for
9 discussion amongst yourselves, discussions whatever
10 you deem is appropriate.

11 MS. BLOUNT: My understanding is we already
12 have a company. The last time we met we have a
13 company here already.

14 MR. WELCH: Yes.

15 MS. BLOUNT: That is providing what we're
16 discussing with this new company that wants to come
17 here.

18 MR. WELCH: Right.

19 MS. BLOUNT: And I feel the company we already
20 have is sufficient.

21 MR. WELCH: Well, that is not a judgment call
22 for you to say we have enough. If the code has
23 provided -- has said that this is an appropriate use
24 as long as it meets these conditions, one of the

1 conditions is not whether there's another use, the
2 same use in the Village.

3 MS. BLOUNT: Well, with the environment -- with
4 the pictures that was presented.

5 MR. WELCH: What pictures?

6 MS. BLOUNT: By the company. What I am asking
7 is this the company we already have in Riverdale,
8 that is providing the same steps and giving
9 Riverdale the same uses, this is a waste company?

10 MR. WELCH: I believe you're speaking about
11 Tri-State?

12 MS. BLOUNT: Yes.

13 MR. WELCH: What is your question?

14 MS. BLOUNT: Isn't one company sufficient?

15 MR. WELCH: That's not your role to determine
16 whether one company is sufficient. Your role is the
17 Board has said that these types of uses are an
18 acceptable conditional use.

19 The basis by which you can deny it is on
20 those seven factors. If it don't meet those seven
21 factors.

22 MS. BLOUNT: You're saying actually two
23 companies can operate in Riverdale if they are
24 offering -- even though they're offering the same

1 usage?

2 And since the people are so upset with this
3 company coming here is it really necessary since we
4 already have a facility?

5 MR. WELCH: Again, everyone has a right as well
6 as applicant. So we have to confine ourselves to
7 the discretion that the code provides.

8 So you can't say well, the people are mad,
9 I'm going to deny it.

10 MS. BLOUNT: That's not what I'm saying. I am
11 saying that the company we already have should be
12 sufficient.

13 MR. WELCH: That is not a discretion that's
14 been granted to the Zoning Board.

15 MR. LaROSE: Mr. Welch, what's the first
16 condition?

17 MR. WELCH: It's not an open discussion.

18 MR. LaROSE: What you are saying is wrong. The
19 first condition is is there a need. That's what
20 she's trying to address.

21 MR. WELCH: The discussion has to be open. So
22 if there's any question --

23 MR. STONE: I have several questions. My first
24 question is this due to the severity of these

1 hazards that we're talking about, I think that it
2 was also stated they were operating without a proper
3 permit.

4 And also because of the extreme nature,
5 you're talking hazards. I don't see that in the
6 seven statutes that you just previously stated. My
7 question to you is I don't feel that I have enough
8 knowledge right now at this time. I have just been
9 recently appointed to this Board.

10 Can they guarantee, is there a guarantee
11 anywhere that would ensure the safety of the
12 residents that they were stating there were
13 instances where wood would be burning, and people
14 testified there been stuff dumped there for God
15 knows how long, and people saying so many feet so
16 much concrete must be placed over that. I feel
17 uncomfortable with myself with these seven pieces of
18 procedure that we were supposed to follow and base
19 our decision on. We're talking maybe toxic. I
20 don't know. But I'm being truthful.

21 MR. WELCH: So the question is are there
22 questions that you could put on this to address your
23 concerns?

24 MR. STONE: These conditions that we were, to

1 address my concerns at this specific time, are we
2 trying to make a decision at this specific moment
3 and at this time?

4 MR. WELCH: A recommendation, yes. So let's go
5 through step by step. What are your concerns?

6 MR. STONE: My first concern is the safety of
7 my neighborhood in which I reside.

8 MR. WELCH: What is your belief? What is the
9 dangers?

10 MR. STONE: I've heard stated that they have
11 been operating without proper paperwork.

12 MR. WELCH: So we could put a condition that
13 they shall obtain and maintain all proper state,
14 federal and local permits and shall comply.

15 So now for them to operate under -- to have
16 the conditional use, that would be one of the
17 conditions. And if at any point during their
18 operations they're found to be operating without the
19 necessary permits, their conditional use is subject
20 to revocation.

21 So that is an appropriate -- again, you've
22 identified a concern. So these are the types of
23 conditions to minimize the potential negative impact
24 that you could place on this use. So I think that

1 is a legitimate condition, that the applicant shall
2 obtain and maintain all required federal, state and
3 local permits and shall comply with all conditions
4 contained in those permits so that in the event they
5 violate one of those, they're subject to revocation
6 from the federal and state level.

7 But they're also subject to revocation on the
8 local level because of the condition you just
9 discussed.

10 MR. LaROSE: Mr. Welch, with all due respect, I
11 want to make an objection for the record, a standing
12 objection to your participation in any way.

13 You're giving them advice.

14 MR. WELCH: Duly noted.

15 MR. LaROSE: Thank you.

16 MR. REYNOLDS: One thing I forgot to tell you.
17 The EPA said they're going to investigate this site,
18 whether you all know it or not.

19 MR. TAYLOR: Is this regulated waste or
20 unregulated?

21 MR. WELCH: It's regulated. We need to keep
22 structure to this meeting.

23 MR. REYNOLDS: How did you get on the Zoning
24 Board anyway?

1 MR. WELCH: I'm the attorney for the Zoning
2 Board. There's an individual who arrived late. If
3 you would like we could open it back up for public
4 testimony or we could continue our discussion.

5 MR. RICHARDS: I apologize for being late.

6 MR. WELCH: State your name for the record.

7 MR. RICHARDS: Richards, 13901 Wentworth. It's
8 more of an inquiry. If we're dealing with a waste
9 transfer station, are we dealing with regulated
10 waste, unregulated waste?

11 If it's regulated waste, is it manifested as
12 to where did it come from? What is the source of
13 it? Is it toxic? How much years do you have to have
14 it here before it becomes nontoxic?

15 What protocols will you have in place to
16 test and determine that they are doing it correctly.
17 Because you are not going to have someone there 24/7
18 when these trucks come in, and they unload the
19 waste. Is the waste supposed to be in containers?
20 What kind of containers? Is it cardboard or metal?
21 Are they sealed. There's a whole myriad of
22 protocols that you want to be familiar with before
23 you give carte blanche to someone bringing waste in,
24 and you don't know the source of it.

1 MR. WELCH: Can I recommend you pose your
2 question to the applicant to answer.

3 MR. TOTH: For the record, Mr. Richards, you
4 came late so you didn't hear any of our testimony.

5 MR. RICHARDS: I didn't.

6 MR. TOTH: I wish you had.

7 MR. RICHARDS: I apologize for being late. If
8 you have a cheat sheet or some statement or protocol
9 mission statement.

10 MR. SYNEICKI: We're happy to provide that, but
11 Jim can answer some questions.

12 MR. BRACKEN: All of the stuff is regulated,
13 but there's no special waste involved. People keep
14 referring to it as a dump. It's a recycling center
15 for recycling concrete and aggregate.

16 We provide sand for the town. There's a lot
17 of information out there. People are taking
18 pictures. There's been a few people inside the
19 facility. It's a concrete crushing facility.

20 MR. RICHARDS: You're making gravel?

21 MR. BRACKEN: That's all. It is part of the
22 lead program. Here i the pressure water truck,
23 supression. The material piles, the road. All the
24 asphalt grinds.

1 People are saying there's dirt. There's no
2 dirt there. There's the mulch, sand. A lot of
3 people in here haven't been to the facility so they
4 don't know.

5 MR. WELCH: Hold on.

6 MR. BRACKEN: It's all regulated.

7 MR. TOTH: For Mr. Richard's benefit, we talked
8 about there are three types of materials,
9 construction demolition debris.

10 So if you tear up your driveway or tear out
11 your walls, that's one category. Second category is
12 clean wood. And it's been shredded. The third
13 category is clean soil. So I think you may be
14 thinking or you may be concerned about some other
15 things.

16 MR. RICHARDS: Again, I arrived late. I want
17 to have an idea of what the aggregates were and what
18 the sources of the material are.

19 MR. BRACKEN: There's some confusion. It's not
20 exactly like Tri-State. We don't own any garbage
21 trucks. There are two different things going on.
22 Tri-State has garbage trucks.

23 MR. RICHARDS: I understand.

24 MR. BRACKEN: There's a lot of disinformation.

1 People don't realize what we're doing.

2 MR. RICHARDS: We've had some issues in our
3 town for the last 28 or 30 years. We've had enough.
4 We welcome good business. We want people to come
5 here.

6 MR. BRACKEN: We could hire your services.

7 MR. RICHARDS: Ideally they need to feel
8 comfortable.

9 MR. BRACKEN: Why don't we take them all out to
10 the site.

11 MR. RICHARDS: Put it in writing what you're
12 doing. It adds some transparency. We have an issue
13 with the Village. Some of the people are new.
14 They're all good people here. And we get into areas
15 that we are not familiar with, we haven't dealt
16 with.

17 We have one guy here, and something else
18 coming in. This is our home. This is where we
19 chose to raise our families and where we want to be.
20 And we pay a high price to be here. If someone is
21 going to come in and burn or dump something --

22 MR. BRACKEN: There is no burning.

23 MS. WILLIAMS: We don't know this. We heard a
24 dump.

1 MR. WELCH: So let's go back to Board
2 discussion. We have heard the testimony from
3 Mr. Richards. We could go back to discussing
4 concerns and issues related to the proposed use.

5 MS. JOHNSON: The concern that I have relates
6 to the first standard that -- and it's self
7 explanatory that the establishment, maintenance or
8 operation of conditional use will not be detrimental
9 to or endanger the public health, safety, morals or
10 comfort or general welfare.

11 My concern is that the testimony provided was
12 not a verifiable measure that there would not be any
13 detriment or endangerment to the public health. So
14 that is a concern that I have.

15 MR. WELCH: Well, there are the statements
16 recommending the state regulators who view their
17 operations, and they're subject to continuing
18 review.

19
20 So again that sort of feeds into maintaining
21 all required federal, state, and local permits and
22 compliance with all conditions in those permits. If
23 they are ever found to be operating outside of those
24 we can pull the zoning license, the zoning

1 conditional use permits that were granted.

2 So for example, if you look at applicant
3 document number two, there's a document dated
4 August 16th from the IEPA. And if you look at pages
5 two through 9, there's a long list of conditions that
6 the EPA has put on the construction of the facility,
7 which the IEPA is saying in order for you to operate
8 and to be in compliance with our regulations you
9 have to do X, Y, Z.

10 So by the last condition that we discussed we
11 have incorporated all seven pages of the IEPA's
12 conditions into your zoning, conditional use permits
13 as a condition.

14 MS. GRIFFITH: I think that was one of my main
15 concerns also, his concern and also her concern that
16 you clarified already what can be done.

17 MR. WELCH: Right. Then if you look in the
18 next packet there's County, which also has a number
19 of special conditions, which are also being
20 incorporated with the -- if you were to recommend
21 approval would be incorporated by inclusion of the
22 proposed condition that they comply at all times
23 with the conditions sets forth in all federal, state
24 and local permits.

1 So if you would be incorporating the IEPA
2 conditions and incorporating the county's
3 conditions.

4 MS. JOHNSON: What about as relates to the
5 drainage? I have concerns about that drainage and
6 or runoff.

7 MR. WELCH: One reasonable condition is -- it's
8 also in these permits, but I do remember a reference
9 to a storm water prevention plan.

10 We can make it subject to review and approval
11 by the Village engineer. And that they comply with
12 the approved, the storm water prevention plan that
13 is approved that has been approved by the Village
14 engineer as a condition to the operations.

15 Does that sound like a reasonable condition?

16 MR. STONE: Yes, most definitely.

17 MR. GREEN: What was that?

18 MR. WELCH: That the applicant shall comply
19 with the storm water prevention plan to be submitted
20 to and approved by the Village engineer.

21 MR. STONE: To clarify one last time in
22 laymen's terms for me, this is not a dump, but a
23 recycling facility?

24 MR. WELCH: Well, you've heard testimony from

1 both sides. And you're weighing what you've heard.

2 MR. STONE: Construction material crushing and
3 recycling?

4 MR. CUNNINGHAM: Right, not a dump.

5 MR. STONE: This site wasn't tested on a
6 regular basis?

7
8 MR. WELCH: I believe I heard testimony on how
9 the IEPA inspects, and they will be subject to
10 inspections by the Village just as is Tri-State or
11 any other business specifically by the Village.

12 MR. STONE: How often are the inspections?
13 What are they monthly, annually?

14 MR. WELCH: They're annual on the Village
15 level, but the IEPA, I believe you heard testimony
16 that it's more than monthly from what I heard.

17 MR. BRACKEN: Correct.

18 MR. LaROSE: That is not true. That's not even
19 close to being true.

20 MR. WELCH: That's what the testimony was.

21 MR. LaROSE: They come out when they get a
22 complaint. Otherwise, they come out annually.

23 MS. JOHNSON: Our concern was that information
24 relayed to Riverdale to the Zoning Board the outcome

1 of those tests?

2 MR. WELCH: After you make your recommendation,
3 your role in relation to this application is over.
4 So the enforcement of the ordinance is the
5 responsibility of the Village.

6 These were the plans that were mentioned.
7 There is also a dust control plan. Why don't we put
8 that -- my proposal would be to put that in the same
9 context as the storm water prevention.

10 MR. STONE: Of the air?

11 MR. WELCH: Right.

12 MR. STONE: These tests are done annually like
13 you said or the EPA has its own independent way of
14 --

15 MR. WELCH: I would have to defer to the
16 testimony that was taken.

17 MS. JOHNSON: I have a concern there was
18 testimony provided about the concerns of the
19 diminishment of property values and the standard B
20 states that it's specific to about substantially
21 diminishing and impairing property values within the
22 neighborhood.

23 With business as such, to what degree if any
24 is there any diminishment of property values?

1 MR. WELCH: So there was statements from people
2 who believe it will affect property values. But
3 there wasn't much testimony of experts or any sort
4 of cause and effect, right. So that is one of the
5 reasons you have zoning, which is where you create
6 districts. The idea being you don't have a
7 residence next to ABC Auto. So that is why if you
8 look at the Village's zoning map, the residential
9 districts are on the east portion of Riverdale for
10 the most part.

11 There's exceptions, but the industrial tends
12 to be the general rule on the west side. And the
13 idea in separating the districts like that is to
14 protect property values. Residential doesn't mesh
15 well with industrial. So we put the industrial here
16 and put the residential here. That is how
17 Riverdale's zoning map has been constructed to
18 minimize the impact of industrial uses which are
19 over there with the residential that is over here.

20 MR. STONE: What guarantee do we have as I
21 heard from testimony that they were already
22 functioning?

23
24 MR. WELCH: Speak up.

1 MR. STONE: What assurances do we have that we
2 or do we have assurances that proper functioning
3 would be 100 percent, and no way that anybody can
4 cut corners?

5 MR. WELCH: So what happened here was they were
6 originally identified as a permitted use by the
7 Village staff. And a closer examination and they
8 were notified.

9 So the applicant believed they were permitted
10 use. On further review, they determined that this
11 was more appropriately defined a conditional use,
12 and they should go through a public hearing. But
13 because of the incorrect identification and the
14 reliance, the applicants put the Village permitted
15 them to operate on a temporary basis while these
16 procedures went through, which is authorized by the
17 code.

18 Now, what sort of protection do you have that
19 they operate properly with all the necessary
20 permits? Well, the conditional use ordinance is
21 subject to revocation in the event you fail to
22 comply with the conditions of the ordinance. And
23 the conditions are everything we said here.

24 And then the Village has a sort of template

1 of conditions that they put on everyone, on every
2 conditional use regardless of the type of use and
3 that is the use shall at all times comply with all
4 applicable local rules, ordinances, regulations, et
5 cetera.

6 MR. STONE: Established prior to --

7 MR. WELCH: If you look at least since 2013
8 you'll see every conditional use that has come
9 through. There's a condition that the use shall
10 comply with all applicable local ordinances, rules
11 and regulations.

12 MR. STONE: Since 2013, correct?

13 MR. WELCH: At least.

14 MR. STONE: Now, in 2017?

15 MR. WELCH: We're still doing it. I'm saying
16 it's been at least since then from then to now this
17 has been a continual condition.

18 MS. BLOUNT: Could I ask a question. How long
19 have they been operating here in Riverdale?

20 MR. WELCH: Since mid summer.

21 MS. BLOUNT: When did you begin operations?

22 MR. BRACKEN: Midsummer.

23 MS. BLOUNT: Midsummer?

24 MR. BRACKEN: Right.

1 MR. WELCH: So the code permits temporary
2 operations for six months. I will recognize you.

3 MS. WILLIAMS: Basically this has nothing to do
4 with Thornton Township. This is really Calumet
5 Township. It has nothing to do with Thornton
6 Township as far as tax breaks.

7 MR. WELCH: I believe this is Calumet Township.

8 MS. WILLIAMS: Why are we sitting here?

9 MR. WELCH: Riverdale is in two townships.

10 MS. WILLIAMS: Riverdale is in two townships?

11 MR. WELCH: Correct.

12 MS. WILLIAMS: But it don't benefit us here in
13 Riverdale.

14 MR. WELCH: We went a little astray. Riverdale
15 is in two townships. I believe this is in Calumet.
16 Is there other discussion, concerns?

17 I think one important thing was they withdrew
18 their municipal solid waste. We received a letter.
19 I think we would put that as a recognition.

20 Your recommendation will go to the Village
21 Board, who will get your recommendation, will go to
22 the Village Board.

23 Members of the Village Board will receive the
24 record, have access to the records, view the

1 records, and they will make a final determination.
2 Whether you recommend a denial or an approval it's a
3 recommendation, and the Board will take final
4 action.

5 MR. REYNOLDS: It don't matter. The Board is
6 going to do it their way like they did the church.
7 They said no. The Village Board said we're going to
8 do it anyway. Why waste your time.

9 They already sold out, and they're doing it.
10 The same people sit on that Zoning Board. I hope
11 you're the best.

12 MR. WELCH: Is there anything further? So the
13 question is -- we have discussed these conditions.
14 Would this use subject to these conditions meet the
15 standards set forth that we discussed?

16 This would be if this use operating in
17 compliance with the conditions met the standards to
18 grant a conditional use. There's going to be a
19 vote. So I will make the motion. Feel free to
20 amend it. Then so move.

21 I will give words to the motion and amend it
22 after I state it if you feel that there is something
23 misstated. So it would be a motion to recommend
24 approval of the conditional use to operate a

1 recycling facility and transfer station at 1201 west
2 138th Street subject to the following conditions.

3 Applicant shall obtain and maintain all
4 required federal, state and local permits.
5 Applicant shall comply with all conditions as set
6 forth in the required federal, state and local
7 permit.

8 Applicant shall at all times comply with the
9 storm water prevention plan and the dust control
10 measures plan as approved by the Village engineer.
11 And municipal solid waste shall be strictly
12 prohibited.

13 Are there any amendments to the conditions,
14 any additional conditions that you believe are
15 warranted. If not, it would be so moved and then a
16 vote aye, a second and then a vote.

17 MR. CUNNINGHAM: So moved.

18 MR. WELCH: We have a motion. Is there a
19 second?

20 MS. GRIFFITH: Second.

21 MR. WELCH: A motion and a second. Roll call.

22 MS. RUSSELL: Member Cunningham.

23 MR. CUNNINGHAM: Aye.

24 MS. RUSSELL: Member Blount.

1 MS. BLOUNT: No.

2 MS. RUSSELL: Member Taylor?

3 MR. TAYLOR: Aye.

4 MS. RUSSELL: Member Johnson.

5 MS. JOHNSON: Aye.

6 MS. RUSSELL: Member Stone.

7 MR. STONE: No.

8 MS. RUSSELL: Member Griffith.

9 MS. GRIFFITH: Aye.

10 MR. WELCH: Okay. So the Board is a
11 recommending body. The recommendation shall be
12 forwarded to the Village Board for final action at
13 the November 28th regular Board meeting.

14 At this time we're going into new business.
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1 STATE OF ILLINOIS)

2) ss:

3 COUNTY OF C O O K)

4
5 VICTORIA D. ROCKS, C.S.R., Notary
6 Public, being first duly sworn, deposes and says
7 that she is a Certified Shorthand Reporter, doing
8 business in the City of Chicago, County of Cook,
9 State of Illinois, and reported proceedings in the
10 Courts in said County;

11 That she reported in shorthand and
12 thereafter transcribed the foregoing proceedings;

13 That the within and foregoing
14 transcript is a true, accurate, and complete record
15 of the proceedings had upon the hearing in the
16 County of Cook, State of Illinois, on this 9th day
17 of November, 2017.

18 Victoria Rocks CSR
19
20

21 VICTORIA D. ROCKS, C.S.R.
22 License No. 084-002692
23
24

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